

La
9-8t10

February 2, 1960

Mr. Abbott Kaplan, Director
University of California
University Extension, Southern Area
Los Angeles 24, California

Dear Mr. Kaplan:

Thank you for your letter of invitation addressed to Governor Brown and dated January 27. This invitation shall be brought to the Governor's attention within the next few days and you may expect to hear from him shortly.

Your thoughtfulness is greatly appreciated.

Sincerely

James D. Loeb1
Secretary

CDB:js

179534

UNIVERSITY OF CALIFORNIA
RECEIVED
GOVERNOR'S OFFICE

UNIVERSITY EXTENSION—SOUTHERN AREA
OFFICE OF THE DIRECTOR
LOS ANGELES 24, CALIFORNIA

1960 FEB 1 AM 10 10

January 27, 1960

The Honorable Edmund G. Brown
Governor, State of California
State Office Building
721 Capitol Avenue
Sacramento, California

Dear Governor Brown:

I was delighted to learn from Attorney General Stanley Mosk that you would be interested in sponsoring a Governor's Conference on Narcotics to be held on the University of California, Los Angeles, Campus. Our notion is to have a rather broad conference dealing with all phases of the narcotics problem. In addition to the medical (physiological, pharmacological, psychiatric, etc.) aspects of the problem, it would also include those problems of interest to law enforcement officers, probation officers, social workers, school counselors, social agencies and the public at large. We believe that such a conference would attract a large professional and lay audience.

As you undoubtedly know, all conferences that University Extension co-sponsors must be self supporting. This is done through a registration fee. If you have some funds available and would like to eliminate the registration fee, that would be perfectly acceptable to us. On the other hand, we would be prepared to co-sponsor the program with a registration fee that hopefully would finance the entire cost of the conference.

We are thinking of the second week in September as the period for the conference, probably starting Thursday, September 8, and concluding Saturday, September 10. That would provide a full three days. We would hope that you would be able to open the conference the morning of the 8th.

Could you let us know whether these dates are acceptable to you? We should also very much appreciate your designating a representative of your office, or of the Attorney General's Office, to serve on the planning committee for the conference. It would be helpful if your representative were designated as soon as possible so that we could begin the planning and programming of the conference in the immediate future. Because we should like to have on the program a number of people from Washington and other parts of the country, an early decision would be very helpful.

Governor Brown

-2-

January 27, 1960

If you have any questions or suggestions, we would be
delighted to receive them.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Abbott Kaplan". The signature is fluid and cursive, with the first name "Abbott" and last name "Kaplan" clearly distinguishable.

Abbott Kaplan
Director

AK:mjh

cc: President Clark Kerr

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

1201

Cecil

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

0A750 LB835

L WLA398 NL PD=WEST LOS ANGELES CALIF 8=
GOVERNOR EDMUND PAT BROWN=

GOVERNORS MANSION SACRAMENTO CALIF=

DEAR GOVERNOR, I DONT UNDERSTND WHY THE NARCOTICS
ISSUE HAS COME UP SO SUDDENLY IN THE PAST FORTY EIGHT
HOURS BUT YOU MUST KNOW THAT YOUR STAND ON THIS ISSUE
AS WELL AS CAPITOL PUNISHMENT AND/OR ANY OTHER ISSUE
ARE NECESSARILY OF TREMENDOUS INTEREST TO ME. I THINK
YOU ARE BEING AS NOBLE AS ANYONE CAN BE. PLEASE LET
ME KNOW IF I CAN HELP. SINCERELY=

MERECEDES MCCAMBRIDGE.

MAR 8 PM 11 14

*much better
than Phyllis*

RECEIVED
GOVERNOR'S OFFICE

1960 MAR 9 AM 9 22

Poole

info.

Governor Brown

March 18, 1960

Chas. W. Johnson

Narcotics cases.

Attached is a memorandum prepared for me by the Adult Authority on the four cases which Chief Parker has been using as instances of big peddlers who were released on parole and then re-arrested by him. I thought you should have this information.

You will note:

1. On Padilla, he had no history of narcotics addition or use prior to the time he was released on parole by the Adult Authority in 1952. His prior conviction was for stealing two pigs for the purpose of selling them on the black market. Subsequent to the time he was discharged in 1952, he apparently entered the narcotics traffic and is now back in the State prison, having been received on January 19th of this year.
2. Big Brother Hernandez. This man went out on parole in 1957, and in 1958 violated his parole by failing to report to his parole officer. He was arrested on February 23, 1959, which was a Sunday. Apparently, the arrest was made about 11 o'clock in the morning. His parole officer in Long Beach was notified after lunch and asked that he be held. This was an oral request to hold him. At about the same time, his attorney secured a writ of habeas corpus and an order directing his release on \$5,000 bail. The Los Angeles Police Department notified the parole officer of the writ and said they could not hold him on an oral hold. Before the parole officer got to the jail he had been released on bail. We still have a warrant of arrest out for him.
3. Little Brother Hernandez. A careful investigation discloses that this man has never been on probation or parole in California. He was a federal parolee and apparently violated his parole. As you know, Parker has used this as another instance of inefficiency on the part of our State parole officers.
4. In the case of Gardner, whom Parker says is one of the biggest peddlers, he was sentenced for robbery first and abortion, the sentences to run concurrently. A narcotics charge which was placed against him at the same time resulted in a not guilty judgement. After his release on parole on March 18, 1957, he secured a job at \$507.00 per month, and in early 1958 was raised to \$650.00 per month. There is apparently a slip-up in this case by the parole officers. He was laid off from his job in the summer of 1958. Thereafter, his wife purchased two new automobiles and a \$36,000 house. This should have been a tip-off, but apparently the parole officer ignored it for some reason or other. In October 1959, Gardner was arrested in Calexico, but notice of this arrest never reached either the State Bureau of Criminal

Identification and Investigation or the State parole officers. It did not come to light until he was returned to prison as a parole violator on February 29, 1960. While Parker states that his police department made the arrest, the fact of the matter is that the arrest was made in Orange County by Orange County officers.

Also attached, and of great significance, is a copy of a policy statement of the Los Angeles Police Department which was issued last Fall. This statement directs Los Angeles City Police officers to discontinue the practice of furnishing copies of arrest reports to the California Adult Authority and the California Youth Authority. As a result of this policy, we are securing information concerning the circumstances surrounding the arrests on an informal basis by having a parole officer call over and talk to a lower echelon officer in the Los Angeles Police Department. As you know, the arrest report frequently contains matter which is very useful in fixing the length of term and which does not appear on the probation report.

CWJ:vp

Attachments

GOVERNOR'S OFFICE

INTEROFFICE MEMORANDUM

SACRAMENTO

TO Cecil Poole cc: Fred Dutton

DATE March 22, 1960

FROM Hale Champion *HC*

SUBJECT _____

On assumption that as chief boy crime crusader around here you are going to tilt at the narcotics windmill, I am sending you the name of Bill Jasper of 400 South Detroit Street, Los Angeles 36, (tel: WEbster 8-5047), who dropped into the office the other day. Says he is guy who started that communal project for addicts in the LA area, is former lobbyist and old friend of the Governor's. Says he wants no job or title, but has time and would like to do what he could to keep the addicts' problem (as a health problem) before whatever group makes recommendations on further legislative action. Also wants a citizens committee advising Crime Commission.

HC:ks

Los Angeles California
May 20th. 1959.

Mr. Stanley Mosk
Attorney General
Sacramento, Calif.

Dear Stan:-

Since my meeting with you about five weeks ago, I have read all of the bills introduced, pertaining to the subject of narcotics and narcotic addiction. The only bill that touches on the subject of addiction is AB 321. All others seem to pertain to definitions, penalties, search and judicial matters. None of the bills thus far introduced, does a thing for the unfortunate addict.

SB 155, already signed, in my opinion, is a huge joke. I have never heard of an addict being helped in a period of 90 days, behind closed doors, as this bill does. It is a waste of valuable time and a great deal of the taxpayers money. I say this because I think I know as much or more about addicts as does any one person in this State.

The commission mentioned in AB 321 cannot do a job, as the membership it sets up is meaningless. Those persons it designates as members, all have a job to do in their own departments. They cannot give the proper time and study that this subject requires. The professional law enforcement people know little or nothing about the drug addict. For the past 23 years, I have been close to hundreds of these unfortunates and, I am sure, I understand their problems. They are sick people and nothing else. You cannot help or cure them by force or directive, no more than we did with the Alcoholic when we threw them in jails. The answer to this problem is much bigger than most lawmakers and the general public think.

We have no less than 7500 addicts in the Los Angeles metropolitan area. The average habit costs them \$30.00 a day. Someone has to pay for their habits. The only way that most of them get their money is by crime and prostitution. Professional lawmen have told me many times, that drugs are the causes of at least 70% of all of our crimes such as burglary, robbery, shoplifting, auto-stripping, and, many cases of murder.

There is but one way to tackle this problem, and that is by a three year Pilot Program. The cost will be very nominal to the State. With a pilot program of 100 addicts, the cost will be about one-third of what it would cost to keep them in prisons or State institutions, where no addict has been cured in the many years that I have been interested in these people.

We can make a record with this Pilot program and go on from there. I know right well that we cannot have a 100% cure record, but, I am certain that we will have done a much better job than they are doing in the U.S. hospitals at Lexington and Fort Worth.

Stan: I believe you know me well enough to know that I am not a crackpot or a dreamer. I have spent many years, and a great deal of my own money, to help those unfortunates who got addicted, in most cases, while they were teen-agers. They need help, not jails. They can and must be helped.

A short time ago, I talked with District Attorney McKesson for more than two hours, altho our appointment was for 15 minutes. He was astonished by the facts and figures we gave to him. Karl Holton, our great probation officer, gave us more than two hours of his time. I had one of the addicts we are helping with me. He told me that he was appreciative about the visit and that he has had a better insight on the subject that he has ever had before.

After talking with Judge James M. Carter, and his chief probation officer, at San Diego, they told me that our visit was most helpful and that they learned a great deal more about drug addicts than they ever knew.

Stan: I will give all the time I can to help with a program. I am single and have no family ties to take up my time. I have plenty of energy, too old for hobbies, and want to do nothing better than to help these poor people. It wasn't too many years ago, when the professionals thought that the Alcoholic belonged in jail. In the years that I was a member of the YALE University Alcoholic Study Clinic, I heard the medical men and law-enforcement agents tell us that jails were best for the Alcoholic. Today, we are treating the alcoholic as a sick person and will have the problem licked. The common drunk is not an alcoholic. There are no common dope fiends. They are all addicts.

I know that the period for the introduction of bills is past, and a 2/3 vote of the membership is needed to introduce a new bill. I will gladly help draft a bill that will be a starter for future legislation all over the country. I know this subject and know it well. I know that California can and will lead the way with this most important social problem. We have many lives at stake now and in the future. In the current (June) issue of Argosy-page 33, you can read of a small sample of what I have in mind.

I have been following and advocating legislation for over 35 years, and this is the first time that I have ever sat down to write a letter to a public official about legislation. I had talks with a great many people about addicts and they were all of the opinion that the addict is a criminal. Our late friend, Dr. Aaron Rosanoff told me that I was barking up a wrong tree when I discussed this subject with him nearly twenty years ago.

Please call on me to help out in this matter, as I am sure that we have the answers and are on the right track. I am doing my own typing of this letter, which in itself is a chore for me, so please overlook any errors in typing, etc.

I can be reached by mail at my home--400 S. Detroit St. Los Angeles-36, or by phone at Webster 8-5047.

With kindest personal regards and best wishes for a long reign, I am,

Cordially

Bill Jasper



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, LOS ANGELES 12

March 22, 1960

Handwritten: Mickey - Gov. has
please file. Who does
it go to 2/28/60

Hon. Edmund G. Brown
Governor
State of California
Capitol Building
Sacramento, California

Dear Pat:

When Stanley and I met with you on Saturday, March 19th, and discussed the narcotics problem you stated that you had not seen the letter that I had forwarded to you from Fernando Lopez Arias, Attorney General of Mexico.

I am enclosing, therefore, a copy of the letter and translation of same. The Attorney General was very gracious to me and I spent a total of six hours with him on two different days. He was delighted to receive the letter from you inviting him to meet with you and is anxious to come to California in the very near future. He expressed his great desire to cooperate in the field of narcotics and to do whatever is required to apprehend narcotic violators.

I would suggest that the first meeting you have with Lopez Arias be held in California as you would not have the problem of the State Department breathing down your neck inasmuch as they have been the main stumbling block in reaching a proper understanding with Mexican officials. This could be followed up by having Lopez Arias invite you to Mexico City.

Sincerely,

Richard R. Rogan

RICHARD R. ROGAN
Chief Deputy Attorney General

RRR:nc
enc.

P.S. I am enclosing the third page of a letter addressed to me on March 11th from the State Department and their press release concerning the January meeting with Mexican officials. R.R.R.

PROCURADOR GENERAL DE LA REPUBLICA

Mexico, D.F., marzo 4 de 1960.

Mr. Edmund G. Brown.
Gobernador del
Estado de California
Sacramento, Calif.

Estimado señor:

Por el amable conducto del Sr. Richard R. Rogan, Chief Deputy Attorney General de ese Estado de California, recibí su carta del 24 de febrero.

He estado enterado, que en el pasado ocupó usted el cargo de Procurador General del Estado de California; y seguramente por sus conocimientos de -- los problemas que afectan a su Estado y a mi país, será muy conveniente reunirmos para tratar de resolverlos satisfactoriamente.

Quiero manifestar a usted, que tan pronto tenga oportunidad de hacer una visita al Estado de California Norte, tendré el agrado de saludarlo.

Me es grato reiterarme de usted, afectuoso amigo y servidor.

Lic. Fernando Lopez Arias.

COPY

ATTORNEY GENERAL OF THE REPUBLIC

Mexico, Federal District
March 4, 1960

Mr. Edmund G. Brown
Governor of
The State of California
Sacramento, California

Dear Sir:

Through the friendly cooperation of
Mr. Richard R. Rogan, Chief Deputy Attorney
General of the State of California, I received
your letter of February 24.

I have been very busy since the time
you were in charge of the Attorney General's
office of the State of California and surely from
your knowledge of the problems that affect your state
and my country, it will be helpful to meet together in
order to resolve the problems satisfactorily.

I wish to impress upon you that as soon as
I have an opportunity to visit the State of Northern
California I will be happy to see you.

And now I take my leave of you dear friend.

Fernando Lopez Arias
Attorney at Law

COPY

*But
I'll appreciate it
if you can find a spot
on the delegation.*

Candidates for Delegation 1960

RICHARD R. ROGAN, Chief Deputy Attorney General of California
919 Grinnell Drive, Burbank
43rd Assembly District, 20th Cong. District

Born in Los Angeles - a 4th generation Californian.
Graduated from UCLA with highest honors in political science.
Graduate work at University of Paris.
Graduated from Yale School of Law.

Former Special Assistant to the Attorney General of the U.S.
Past President, Burbank High School Alumni Association.
Past President, Burbank Symphony Association.
Past President, Burbank Community Concert Association.
Director, Burbank Community Chest.
Member, Burbank Lions Club.

" L.A. County Museum Associates.

" L.A. World Affairs Council.

" Town Hall.

" Graduate Board, Yale Law School. & Chairman, Yale Law School Fund.

President of the San Fernando Valley Bar Association - 1958.

President of the Burbank Bar Association - 1959.

Admitted to practice in California for 19 years.

Admitted to practice before the U.S. Supreme Court.

Lieut. U.S. Naval Reserve. (Military-Political Affairs Unit.)

1948-1960 Member L.A. County Democratic Central Committee.

1950-1960 Member Democratic State Central Committee.

1948 Bill Rogers for Senate - Speakers Bureau.

1949 Organizer of California Federation of Young Democrats.

1950 National Committeeman, C.F.Y.D.

1950-1951 President, Los Angeles Democratic Luncheon Club.

1953-1956 Delegate, California Democratic Council Conventions.

1952 Alternate, Democratic National Convention, Chicago.

1950-1954 Brown for Attorney General Committee.

1950 San Fernando Valley Coordinator, Roosevelt for Governor Committee

1950 Helen Gahagan Douglas for Senate-42nd A.D. Manager.

1950 42nd A.D. Democratic Organization Chairman.

1950-1952 President, Burbank-Glendale Young Demos.

1957-1959 Chairman, 20th C.D. Democratic Caucus.

1956 43rd Assembly District Nominee.

1958 Brown for Governor Lawyers Committee.

1958 Mosk for Attorney General - Finance Committee.

1958 Campaign - Donated Democratic headquarters for 42nd & 43rd Assembly Districts.

Member, Andrew Jackson Democratic Club, Burbank.

1960 Raised \$3120 for C.D.C. Convention.

1960 Member, Finance Committee, Democratic State Central Committee.

1959-60 MEMBER, HOST COMMITTEE, DEMOCRATIC NATIONAL CONVENTION

LISTED IN: LOS ANGELES BLUE BOOK (SO. CALIF. SOCIETY REGISTER)

WHO'S WHO IN THE WEST

SELECTED AS DELEGATE BY 20TH C.D. CAUCUS

Communication between the Governments of the United States and Mexico will be conducted on a continuing basis and through appropriate channels on matters related to the illicit narcotics traffic. If it appears that a future meeting of delegates representing the two Governments would be productive, steps will be taken to arrange such a meeting. The Department concurs that cooperation between all agencies and levels of government in the United States is highly desirable in taking the actions necessary to curb the illicit traffic in narcotics.

*Refers to Judge
Edmond Clark's
recent blast* → The Department of State does not concur in the recommendation that travel across the Mexican border should be prohibited and United States troops assigned to the border to enforce such a prohibition.

It is gratifying to learn of the pronouncements bearing on this subject that were made by the Governors of the States of California and Baja California at the close of their recent discussions on common problems. The Department believes that efforts inspired by mutual respect and cooperation to achieve a higher level of cooperation at all levels of government on each side of the border are more likely to be productive than proposals for punitive action against Mexico.

If you should have any constructive suggestions to offer with regard to the narcotics problem, appropriate officials of the Treasury Department and the Department of State will be glad to discuss them with you.

Sincerely yours,

For the Secretary of State:

Melville E. Osborne
Officer in Charge
Mexican Affairs

Enclosure:

Press Release.

*Letter dated March 11, 1960
addressed to
Richard R. Rogan*

DEPARTMENT OF STATE
FOR THE PRESS

JANUARY 5, 1960

NO. 2

UNITED STATES-MEXICO JOINT COMMUNIQUE ON
CONTROL OF ILLICIT NARCOTICS

In view of the fact that illicit production, traffic and use of narcotic drugs constitutes a world problem as well as a problem which affects Mexico and the United States alike and upon the invitations of the United States, delegations of the Governments of the United States and Mexico met in Washington, D.C. on January 4, and 5, 1960 to explore, informally, ways and means of intensifying the campaign against illicit traffic in narcotics in accordance with existing international treaties and the domestic legislation of the two countries. It was agreed that this campaign offers a most fruitful opportunity for international cooperation as is explicit in international treaties on narcotics to which both countries are parties and in their membership in the United Nations Commission on Narcotic Drugs. It was also agreed that, in the spirit of mutual understanding and respect which characterizes the friendly relations of the two countries, the two Governments would continue to make their best efforts to find appropriate measures to combat more effectively the traffic in illegal drugs, in addition to the implementation of provisions of international treaties on the subject that each Government is observing to the best of its ability.

In this connection the Chief of the American Delegation stated that his Government is prepared to offer its facilities in the training of personnel and the use of scientific and technical equipment, if the Mexican Government should so desire.

On this basis each delegation stated their conviction that their Governments would continue to encourage closer cooperation between Federal, State and municipal officials of the two countries who are engaged in the fight against the nefarious activities of narcotic criminals in the two countries. It was noted that the general public is frequently unaware of the operations of competent authorities in the narcotics field because of the necessarily confidential nature of enforcement methods.

There was complete recognition that the drug traffic between the two countries involves the illicit production, distribution or transit of narcotic drugs in Mexico and the illegal sale and use of or addiction to those drugs in the United States. In this connection the Chief of the Mexican Delegation called attention to the fact that since 1947 a national campaign has been carried out in Mexico with the cooperation of all levels of government to combat the illicit cultivation traffic or transportation of narcotic drugs. The Chief of the American Delegation commented that the United States has increased the number of customs and narcotics agents in the areas near the border and is prepared to enter into a cooperative training program for the enforcement agents of both countries.

The members

The members of both Delegations stressed the need for continuous public enlightenment regarding the seriousness of the drug problem, especially in areas of widespread addiction, and the importance of wholehearted support of the people in supporting such measures as have a reasonable likelihood of eliminating the violators of narcotics laws -- the perpetrators of the most abominable crime against the health and welfare of our communities.

Mexican Delegation:

Lic. Oscar Rabasa, Chief of Delegation,
Director in Chief for American Affairs and the
Foreign Service, Ministry for Foreign Relations
and Permanent Representative of Mexico
to the United Nations Commission on
Narcotics.

Lic. Juan Barona Lobato,
Assistant to the Attorney General of Mexico

Lic. Santiago Ibanez Llamas,
Chief Inspector of Immigration,
Ministry of the Interior.

Lic. Francisco Alfaro S.,
Chief of Legal Department,
Ministry of Health and Assistance.

Lic. Jose Luis Laris, Secretary to Delegation,
First Secretary of Embassy,
Mexican Embassy, Washington, D.C.

United States Delegation:

Myles Ambrose, Chief of Delegation
Assistant to the Secretary for Law Enforcement
Department of the Treasury

Chester A. Emerick,
Deputy Commissioner of Customs, Investigations,
Department of the Treasury

Henry L. Giordano,
Deputy Commissioner of Narcotics,
Department of the Treasury

John S. Hogland, 2d,
Deputy Assistant Secretary of State for Congressional
Relations, D
Department of State

Robert F.

United States Delegation: (Continued)

Robert F. Hale,
Consul General, American Consulate General,
Tijuana, Mexico

Melville E. Osborne,
Officer in Charge, Mexican Affairs,
Department of State.

Elwyn F. Chase, Jr.,
Office of International Economic and Social Affairs,
Department of State

* * *

State--RD, Wash., D.C.

Congress of the United States
House of Representatives
Washington, D. C.

COMMITTEES:
APPROPRIATIONS
SUBCOMMITTEES:
DEFENSE
STATE, JUSTICE, JUDICIARY
HOUSE ADMINISTRATION

March 24, 1960

The Honorable Edmund G. Brown
Office of the Governor
State Capitol
Sacramento, California

Dear Governor Brown:

Thank you for your letter of March 21st and the enclosed copy of your communication addressed to President Eisenhower requesting that he call a White House Conference on the illegal traffic in narcotics.

Just recently, the Judiciary Committee of the House ordered favorably reported a resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics. Although the report has not been filed as yet, this action is anticipated in the very near future. I of course intend to support the proposal.

As you know, it has just been announced by Secretary of the Treasury Anderson that the President's Interdepartmental Committee on Narcotics will hold meetings in California starting March 31st to examine the narcotics situation there. Secretary Anderson indicated that he asked the Committee to hold these meetings in California because of the special concern expressed by the Members of the California Delegation. It is planned that the information obtained at these meetings can be incorporated in a report which the Interdepartmental Committee is currently preparing to submit to the President on enforcement of narcotic laws throughout the country.

The Secretary indicated also that he was writing the Chairman and the ranking minority member of the House Judiciary Committee again suggesting that the Chairman might wish to designate some members of the House Judiciary Committee to sit and participate in the meetings.

The Interdepartmental Committee on Narcotics has been exploring the problem in its over-all aspects since its establishment in 1951, and are equally concerned with problems of either local or National interest.

Beyond the above moves, which I feel are steps in the right direction, I respectfully submit that with your background as Attorney General and Governor of the State of California, it is timely that your recommendations pertaining to legislation in the field of narcotics should be submitted to the California Legislature at this session so that the laws of our State can be adequately brought up to date to cope with this grave problem.

Sincerely yours,


Glenard P. Lipscomb
Member of Congress

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GOVERNOR'S OFFICE
1960 MAR 28 PM 12 45

WARREN G. MAGNUSON, WASH., CHAIRMAN

JOHN D. PASTORE, R.I.
M. S. MIKE MONRONEY, OKLA.
GEORGE A. SMATHERS, FLA.
STROM THURMOND, S.C.
FRANK J. LAUSCHE, OHIO
RALPH W. YARBOROUGH, TEX.
CLAIR ENGLE, CALIF.
E. L. BARTLETT, ALASKA
VANCE HARTKE, IND.
GALE W. MCGEE, WYO.

ANDREW F. SCHOEPPPEL, KANS.
JOHN MARSHALL BUTLER, MD.
NORRIS COTTON, N.H.
CLIFFORD P. CASE, N.J.
THRUSTON B. MORTON, KY.
HUGH SCOTT, PA.

United States Senate

COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE

EDWARD JARRETT, CHIEF CLERK

March 24, 1960

Honorable Edmund G. Brown
Governor of California
Sacramento, California

Dear Pat:

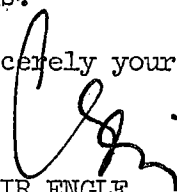
Many thanks for sending me a copy of the letter you sent to the President requesting that he call a White House Conference on the illegal traffic in narcotics.

I am also very much concerned about this problem and have introduced a resolution in the Senate, S. Res. 284, copy enclosed. As you probably know, the House Committee on Judiciary favorably reported a similar resolution to the House on March 22, H. Res. 431.

This is a grave problem and I want you to know that I am doing everything I can to obtain early and favorable action on my resolution.

Best personal regards.

Sincerely yours,


CLAIR ENGLE
U. S. Senator

enclosure

RECEIVED
GOVERNOR'S OFFICE
1960 MAR 29 AM 11 43

**INTERDEPARTMENT
ROUTE SLIP**

To

Cecil Poole

FROM

Dick Tuck

DATE

5/12

REQUEST

Do you think it would be
a good idea for the Gov.
to sponsor this conf.

IF RUSH, OR SPECIAL, SO INDICATE BELOW

GOVERNOR'S OFFICE

INTEROFFICE MEMORANDUM

SACRAMENTO

TO INVITATIONS

DATE March 24, 1960

FROM Don Leiffer

SUBJECT Gov's Conf. on
Narcotics - Sept. ' 60

I took a telephone call from Dr. Abbott Kaplan for Jim Loeb1.

His concern was that he wished to know whether the Governor wanted to sponsor a conference on Narcotics which would be set up by the University of California Extension in UCLA. The accompanying letter gives the proposed ground rules for such a conference.

It sounds like a sound idea to me, and I believe that he should be informed as quickly as possible whether to go ahead on his own or to proceed with the blessing of the Governor's name.

CPM. [signature]

Mr. Leiffer thinks that plans for the Conference are going ahead, but that if the Governor wished to sponsor the conference it would tend to create more interest in the field of Narcotics.

Dutton

Congress of the United States
House of Representatives
Washington, D. C.

March 25, 1960

RECEIVED
GOVERNOR'S OFFICE
1960 MAR 28 AM 10 08

AIR MAIL

Honorable Edmund G. Brown
Governor
State of California
Sacramento, California

Dear Governor Brown:

I have received your March 21st letter soliciting my help with respect to impressing on the President and others a necessity for close co-operation between Federal, State and local officers engaged in an enforcement of laws against illegal narcotics. It enclosed a copy of your letter to the President recommending a White House Conference on narcotics. It also called to my attention the urgent nature of the problems presented."

First, let me assure you that my attention needed no such calling. Action on means to suppress this shameful trafficking has long received my active and considered attention. I believe also that the President, Harry J. Anslinger, U. S. Narcotics Commissioner, and others concerned fully concur in the necessity for close cooperation on law enforcement in this field.

Second, let me assure you that the proposed White House Conference on narcotics is not a subject on which members of the California Congressional Delegation need reminding. The proposed Conference was, in fact, conceived by members of this Delegation, including myself, and the Delegation individually and collectively has long been actively engaged in steps to bring it about. Just last week legislation calling for the Conference successfully passed the House Judiciary Committee by unanimous vote. Californians in Congress have otherwise had a long and effective record of action on this important subject.

Third, let me caution against any lag in, or directing attention away from, State action to cope with the narcotics problem on account of the proposed White House Conference.

The Federal Bureau of Narcotics has furnished reliable statistics showing that as of December 31, 1959, 59.9% of the country's narcotics addicts are located in but two states: New York and California. In the opinion of

Honorable Edmund G. Brown

- 2 -

March 25, 1960

many these two states have amongst the least satisfactory laws on narcotics. Illinois and Michigan account for 18.8% more of the country's addicts, while the remaining 46 states account for only 21.3% of narcotics addicts.

These statistics bring vividly to mind that the most fruitful field for action still lies within these four states where 78.7% of narcotics addiction occurs.

I respectfully suggest for your consideration the possibility of a State House Conference on Narcotics in Sacramento which might be devoted to obtaining the best thinking of law enforcement officials and other experts as to improving California's narcotics laws and other enforcement.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Craig Hosmer", written in a cursive style.

CRAIG HOSMER
Member of Congress

CH:b

Congress of the United States
House of Representatives
Washington, D. C.

March 25, 1960

1960 MAR 29 AM 11 25

RECEIVED
GOVERNOR'S OFFICE

Honorable Edmund G. Brown
Governor
State of California
Sacramento, California

Dear Pat:

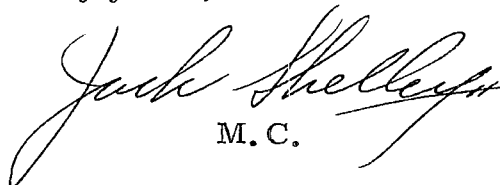
This will acknowledge and thank you for your letter of March 21, regarding illegal traffic in narcotics and its effect on the State of California because of the State's geographical position.

I have been working very closely on this matter generally with Judge Andrew Eyman and with the Commissioner of Narcotics, H. J. Anslinger, Treasury Department, Washington, D. C., and have been influential in getting the President's Interdepartmental Committee on Narcotics to hold meetings in California starting March 31st to examine the narcotics situation in that area. However, the exact time and place of the meetings have not been announced yet, but they are expected to be held in Los Angeles.

If there is anything further you wish me to do, please advise and I will be most happy to assist.

With kindest personal regards, I am

Sincerely yours,


M. C.

March 25, 1960

Mr. Walter S. Binns
Member
The Special Commission on
Narcotics
554 West 5th Street
San Pedro, California

~~Dear Mr. Binns:~~ Dear Walter:

Enclosed find letter received from Art Sherry, formerly
Chief Assistant Attorney General in charge of the
Criminal Division.

He was formerly the attorney for the Crime Commission
under Earl Warren and was the prosecutor of the two
deputies in Howser's office during his regime. After
that, the American Bar Association spent almost a
million dollars in investigating crime, police work,
and the courts in the United States. He was in charge
of this entire program, which is still in process,
although temporarily stalled because of a lack of funds.

He is now teaching criminal law at the University of
California.

I would like very much to have you request Art Sherry
to confer with you at the time of the next meeting. He
is an able lawyer, a real student of criminal law and
procedure, knows the Legislature, and can be a great
help to the Commission in reaching the right kind of
conclusion.

Sincerely

EDMUND G. BROWN, Governor

Enclosure
Via airmail

cc: Don Leiffer

March 25, 1960

Mr. Robert A. Neeb, Jr.
Member
The Special Commission
on Narcotics
3200 Wilshire Boulevard
Beverly Hills, California

Dear Bob:

Enclosed find copy of a letter received from Art Sherry,
Formerly Chief Assistant Attorney General in charge of
the Criminal Division.

He was formerly the attorney for the Crime Commission
under Earl Warren and was the prosecutor of the two
deputies in Howser's office during his regime. After
that, the American Bar Association spent almost a
million dollars in investigating crime, police work,
and the courts in the United States. He was in charge
of this entire program, which is still in process,
although temporarily stalled because of a lack of
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to confer with you at the time of the next meeting.
He is an able lawyer, a real student of criminal law
and procedure, knows the Legislature, and can be a
great help to the Commission in reaching the right
kind of conclusion.

Sincerely

EDMUND G. BROWN, Governor

S

Enclosure

Via airmail

cc: Don Leiffer

March 25, 1960

Mr. Harry Kimball
Chairman
The Special Commission
on Narcotics
4219 El Camino Real
Palo Alto, California

Dear Mr. Kimball:

Enclosed find copy of a letter received from Art Sherry, formerly Chief Assistant Attorney General in charge of of the Criminal Division.

He was formerly the attorney for the Crime Commission under Earl Warren and was the prosecutor of the two deputies in Howser's office during his regime. After that, the American Bar Association spent almost a million dollars in investigating crime, police work, and the courts in the United States. He was in charge of this entire program, which is still in process, although temporarily stalled because of a lack of funds.

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Sincerely

EDMUND G. BROWN, Governor

Enclosure

cc: Don Leiffer

March 23, 1960

Mr. John E. Storer
Member
The Special Commission on
Narcotics
Bureau of Narcotic
Enforcement
1020 N Street
Sacramento, California

Dear Mr. Storer:

Enclosed find letter received from Art Sherry, formerly
Chief Assistant Attorney General in charge of the
Criminal Division.

He was formerly the attorney for the Crime Commission
under Earl Warren and was the prosecutor of the two
deputies in Howser's office during his regime. After
that, the American Bar Association spent almost a
million dollars in investigating crime, police work,
and the courts in the United States. He was in charge
of this entire program which is still in process,
although temporarily stalled because of a lack of
funds.

He is now teaching criminal law at the University of
California.

I would like very much to have you request Art Sherry
to confer with you at the time of the next meeting.
He is an able lawyer, a real student of criminal law
and procedure, knows the Legislature, and can be a
great help to the Commission in reaching the right
kind of conclusion.

Sincerely,

EDMUND G. BROWN, Governor

cc: Don Leiffer

March 28, 1960

Chief A. E. Jansen
Member
The Special Commission
on Narcotics
Department of Police
City Hall
San Diego, California

Dear Chief Jansen:

Enclosed find letter received from Art Sherry, formerly
Chief Assistant Attorney General in charge of the
Criminal Division.

He was formerly the attorney for the Crime Commission
under Earl Warren and was the prosecutor of the two
deputies in Howser's office during his regime. After
that, the American Bar Association spent almost a
million dollars in investigating crime, police work,
and the courts in the United States. He was in charge
of this entire program, which is still in process,
although temporarily stalled because of a lack of funds.

He is now teaching criminal law at the University of
California.

I would like very much to have you request Art Sherry to
confer with you at the time of the next meeting. He is
an able lawyer, a real student of criminal law and
procedure, knows the Legislature, and can be a great help
to the Commission in reaching the right kind of conclusion.

Sincerely

EDMUND G. BROWN, Governor

Enclosure

cc: Don Leiffer

HAROLD T. (BIZZ) JOHNSON
2D DISTRICT, CALIFORNIA

HOME ADDRESS:
423 GROVE STREET
ROSEVILLE, CALIFORNIA

OFFICE ADDRESS:
1031 HOUSE OFFICE BUILDING
WASHINGTON, D.C.

Dutton

Congress of the United States
House of Representatives
Washington, D. C.

COMMITTEE:
PUBLIC WORKS

March 28, 1960

1960 MAR 30 AM 9 25

RECEIVED
GOVERNOR'S OFFICE

Governor Edmund G. (Pat) Brown
State of California
Governor's Office
Sacramento, California

To Poole

Dear Governor Brown:

I have been in close contact with my colleagues Congressmen King, McFall, Holt, Smith and Roosevelt regarding legislation calling for a White House conference on illegal traffic in narcotics. I was, therefore, very happy to receive a copy of your letter to the President soliciting his help in this project.

I might also note I received today notice from the Secretary of the Treasury advising me that the President's Interdepartmental Committee on Narcotics will hold meetings in California starting March 31 to examine the narcotics situation in that area. The information obtained at these meetings can be incorporated in a report which the Interdepartmental Committee is currently preparing to submit to the President on the enforcement of narcotic laws throughout the country.

The letter did not advise as to where the meetings will be held, but I am assuring that you have or will be notified.

Sincerely,

Harold T. Johnson
HAROLD T. (BIZZ) JOHNSON, M.C.

J:Ba



THE SECRETARY OF THE TREASURY
WASHINGTON

MAR 23 1960

Dear Mr. Johnson:

I am pleased to advise you and the other members of the California delegation that the President's Interdepartmental Committee on Narcotics will hold meetings in California starting March 31 to examine the narcotics situation in that area.

We are asking the Interdepartmental Committee to hold these meetings in California because of the special concern expressed to us by the members of the California delegation. The information obtained at these meetings can be incorporated in a report which the Interdepartmental Committee is currently preparing to submit to the President on enforcement of narcotic laws throughout the country.

I am also writing the Chairman and the ranking minority member of the House Judiciary Committee, which has been studying this subject, again suggesting, as in an earlier letter, that the Chairman might wish to designate some members of the House Judiciary Committee to sit and participate in the meetings.

The Interdepartmental Committee on Narcotics has been exploring the problem in its over-all aspects since its establishment in 1951. We are equally concerned with problems of either local or national interest. Let me assure you and all members of the California delegation of the deep interest of the Administration in this tremendously serious problem.

Sincerely,

(Signed) Robert B. Andersen

Honorable Harold T. Johnson
U. S. House of Representatives
1031 New House Office Building
Washington 25, D. C.

Narcotics

March 28, 1960

Professor Arthur H. Sherry
School of Law
University of California
Berkeley 4, California

Dear Art:

Your letter was magnificent! It came at a time when I really needed it.

The attitude of the Legislature is not conducive to clear thinking during a budget session, particularly on matters as emotional as the so-called narcotics situation. In addition, Los Angeles is badgered by two or three television newscasters. They are all experts on crime of various kinds and character and each tries to outdo the other on sensationalism or stupidity.

If I had made this a special call for the sole purpose of increasing the penalties and modifying the Cahan rule, I might as well have turned in my shield. You know how difficult it is to get procedural legislation through, and how much thinking and work must go into not only legislation itself but preparation and lobbying that must both precede and follow the presentation.

I was very interested in what you had to say about Michigan and Ohio and have asked my Crime Commission to follow your suggestions.

It was good to hear from you and I only hope that you and Mary Ellen will come up and have dinner with us some night. I am asking Fernie to contact you about this.

Sincerely

EDMUND G. BROWN, Governor

cc: Helen Amick

UNIVERSITY OF CALIFORNIA

SCHOOL OF LAW
BERKELEY 4, CALIFORNIA

14 March 1960

Dear Pat:

When I read about it in the paper this morning, I thought your resolution in withstanding the pressure from southern California for a special session on the narcotic problem was excellent. Today, after reading a copy of Hal Kennedy's presentation to you of the various resolutions in support of stronger narcotic legislation - together with the specific proposals - I think you have done a great public service.

Peace officers and public officials having the experience of those who joined in Hal's presentation know, even if they won't admit it, that increasing the severity of possible punishment is affected by its own law of diminishing returns. Both the Peace Officers' Association and the District Attorneys' Association expressed this publicly in 1949 when they fought for the removal of mandatory penalties in drunk driving cases. They were successful then; a few years later they were unable to hold the line against the naive belief of so many of the public that mandatory jail sentences would end the problem of the drinking driver.

This is a problem which is, in most of its essential aspects, analagous to the unlawful use of narcotics. The assertion that severe penalties rescued Ohio from the illegal narcotic traffic rests, so far as I can find out, upon an assertion by Harry Anslinger. This is a claim that ought to be run down. What are the basic statistical data? How were the figures compiled? How is a narcotic addict identified in Ohio? These and many other questions haven't been answered in any readily available way so far as I know.

As for Michigan, you may rest assured that high penalties have not proved to be any solution there. Prosecutions in Detroit for the sale of narcotics, for example, show a substantial decrease in the conviction (and prosecution) rate since the punishment for this offense was increased to a mandatory minimum of twenty years. This was not because of the effect of the punishment; it was and

is due to the reluctance of the judges to impose such a severe penalty except in the most flagrant cases. During the time the studies of the American Bar Foundation were made there, it was perfectly apparent that sales cases were being treated actually as cases of possession (with a ten year maximum) and that possession cases were being treated as mere cases of addiction.

Unfortunately, I am not at liberty to permit the source of this information to be disclosed at this time (the Priestly ~~xxxxxxxxxxxx~~ rule doesn't apply here.) But you ought to be able to obtain verification from some friendly and reliable source in Detroit/.

As for the Priestly rule requiring disclosure of the name of the informant in every case and in any circumstance, I think our Supreme court has laid down an arbitrary and unrealistic rule. The Federal courts are much more sensible in this respect; they leave the matter of disclosure to the discretion of the trial court judge. He can permit the privilege to be exercised whenever he is of the opinion that revealing the identity of the informer ~~xxxxxxxxxxxx~~ is not necessary for the protection of the defendant's rights. We might well modify our rule accordingly; in most situations knowing the name of the informer will contribute absolutely nothing to the defense of a criminal case.

The proposal that the exclusionary rule be made inoperative in narcotics cases is ridiculous. It should be retained as is or abolished completely. Partial abolition, as Michigan experience demonstrates day in and day out, turns every arrest (I should probably say "roust") into a narcotics investigation. If the arrest turns up the contraband, it is validated no matter how arbitrary its inception; if it doesn't, the suspect is sent on his way and that's the end of the matter.

The Detroit police make arrests of this nature as a matter of open and unconcealed routine. This practice has resulted in a recent inquiry on the part of the local Bar Association and the publication of a report condemning the practice. But it goes on as it will, unless the law is changed.

ARTHUR H. SHERRY

CRIME COMMISSION ON NARCOTICS

PROPOSED BUDGET 1960-61

<u>SALARIES AND WAGES</u>	<u>Salary Range</u>	<u>Requested Budget</u>
Project Director	\$1,100-1,250	\$13,200
Senior Social Research Technician	782-950	9,384
Field Representative (effective Oct. 1, 1960)	676-821	6,084
Senior Stenographer Clerk	358-436	4,404
Intermediate Account Clerk (effective Oct. 1, 1960)	295-358	2,700
Temporary help		<u>200</u>
Total, Proposed New Positions		\$35,972
Estimated Salary Savings		<u>500</u>
Total, Salaries and Wages		\$35,472
OPERATING EXPENSES		12,308
EQUIPMENT		<u>2,220</u>
Total, Proposed Special Study Commission on Narcotics		\$50,000

DEPARTMENT OF CORRECTIONS
DEPARTMENTAL ADMINISTRATION
CRIME COMMISSION ON NARCOTICS

A Special Commission on Narcotics was created by Governor Edmund G. Brown under the authority vested in him under Section 6208 of the Penal Code. It is a five-man commission established with the specific purpose of reviewing the State's present efforts to control the narcotics problem and to consider all proposals for improvement of the laws related thereto. The commission has the responsibility to submit an evaluative report on the current program and recommendations as needed to assure a continuance of sound, vigorous, fully developed narcotic control measures to the Legislature.

PROPOSED BUDGET 1960-61 F.Y.

SALARIES AND WAGES	<u>Salary Range</u>	<u>Requested Budget</u>
Project Director	\$1,100-1,250	\$ 13,200
Senior Social Research Technician	782-950	9,384
Field Representative	676-821	6,084 (9 mos. only)
Senior Stenographer Clerk	358-436	4,404
Intermediate Account Clerk	295-358	2,700 (9 mos. only)
Temporary help		<u>200</u>
Total, Proposed New Positions		\$ 35,972
Estimated Salary Savings		<u>- 500</u>
Total, Salaries and Wages		\$ 35,472
OPERATING EXPENSES (See schedule attached)		\$ 12,308
EQUIPMENT (See schedule attached)		\$ <u>2,220</u>
Total, Proposed Special Study Commission on Narcotics		<u><u>\$ 50,000</u></u>

DEPARTMENT OF CORRECTIONS
DEPARTMENTAL ADMINISTRATION

CRIME COMMISSION ON NARCOTICS

PROPOSED BUDGET 1960-61 F. I.

OPERATING EXPENSES

General Expense	\$ 1,543
Printing	2,000
Communications	2,265 1105
Travel - in - state	4,000
Rent (600 sq. ft. ³⁰ x 37 cents per sq. foot per month)	<u>2160</u> 2,100
Consultant services	1,000
Hearing reporter services	<u>200</u>
Total, Operating Expenses	\$12,308

DEPARTMENT OF CORRECTIONS
DEPARTMENTAL ADMINISTRATION
CRIME COMMISSION ON NARCOTICS

PROPOSED BUDGET 1960-61

EQUIPMENT

Project Director:

1 Desk	\$ 135
1 Chair	105
1 Table	112
1 File Cabinet (5-dr. Legal w/lock)	198
1 Dictator (Stenocard 402 w/speed control)	310
1 Bookcase	125

Senior Research Technician:

1 Desk	130
1 Chair	41
1 Table (34 x 60)	80

Field Representative:

1 Desk	130
1 Chair	41

Senior Monocenter Clerk:

1 Desk - Typist	150
1 Chair - Posture	38
1 Typewriter	245
1 File Cabinet (5-dr. Legal no/lock)	190
1 Transcriber	240

Intermediate Account Clerk:

1 Desk	130
--------	-----

Total, Equipment	<u>\$2,330</u>
----------------------------	----------------

April 5, 1960

Honorable John Sobieski
Commissioner of Corporations
800 Mirror Building
145 South Spring Street
Los Angeles 12, California

Dear John:

The Governor has received the carbon
copy of your March 31st letter to
Senator Engle.

Yours is an interesting suggestion and
I think he may want to explore it with
you further.

Sincerely

Cecil F. Poole
Secretary

CFP:y

DIVISION OF CORPORATIONS

Los Angeles, California
March 31, 1960

C
O
P
Y

Senator Clair Engle
Senate Office Building
Washington, D. C.

Dear Clair:

Enclosed is an editorial of the Los Angeles Times dated March 16 on the narcotics furor in Southern California. No doubt you have been advised of it under other circumstances. The editorial agrees with Governor Brown's refusal to call a special session of the legislature to deal with narcotics.

As you know, most of the illegal narcotics enter California from Mexico. Consequently, the editorial joins Governor Brown's feeling for federal action to seek cooperation of the Mexican government in stopping the flow of narcotics across the border.

One big step which the Federal government can take, of course, is to increase the number of border inspectors and augment the funds available to pay informants. In the game of cops and robbers a good supply of cops is usually helpful, if the cops are to win. These moves have been urged before. Consequently, I would like to suggest for your consideration what might be a new approach, namely: to approach the narcotics problem from the financial point of view.

The illegal narcotics operation is so large that it seems obvious that the location of the poppy fields and the heroin factories are probably known to officials of the Mexican government, and that that government, or the officials, derive revenue from these activities. Consequently, a plea to the Mexican government to stop the traffic would be that we would be asking the Mexican government, or its officials, to give up a substantial amount of revenue in order that the people of California would receive protection from narcotics.

The request, put in these terms, runs somewhat contrary to certain well known principles of human nature which might account for the fact that the requests, so far, have not been very effective. The solution, it appears to me, is to estimate (and this can be done working from the estimated volume of narcotics in California) the revenue which the Mexican government, or its officials, probably derive at this time. We could then propose to the Mexican government that if the narcotics industry in Mexico will be wiped out we would give an annual grant to the Mexican government equal to 125% of the estimated Mexican revenue from the present situation.

This proposal, it seems to me, would be one which the Mexican government, and its officials, would consider interesting, human nature being what it is. We could not expect, of course, 100% success. But if we reduce the Mexican traffic by 80% we would have made a major improvement in the present situation. Of course, we could not continue the grant merely on a basis of trust. The arrangement with Mexico should provide for a number of American inspectors who would visit the country. These men, of course, should not

have the power of arrest because that would infringe on Mexican sovereignty. They would merely have the power to inspect and if their inspection indicated that the traffic was not being properly interfered with, then the grant from Washington could be reduced.

On account of the fine sensibilities of the Mexican government we probably would not wish to make a proposal in the crude form set forth in this letter, but the financial aspects should be explicitly stated. As an "out" for the plan the grant, it seems to me, could be included in the general foreign aid appropriation and earmarked for the Mexican public health service. Mexico, as we know, suffers from many tropical diseases which have, in the past, not been properly studied. Although there is a border health inspection, it is perfectly obvious that many carry diseases across the border and are not protected. Consequently, it is to the interests of the United States, as well as humanity wise, that public health standards in Mexico be raised. The inspectors from the United States could be attached as assistants in a public health program or some other situation. From the purely financial point of view it occurs to me that the large appropriations for foreign aid which the United States is presently making offer us an opportunity to make a grant for Mexico which could be of great practical benefit to the people of the State of California. In order to help the people of the State of California we are asking our government to approach the Mexican government and ask the Mexican government to take action which will result in a benefit to the people of the State of California and a financial loss to the Mexican government or its officials.

Consequently, if we are to give this a new approach I suggest that consideration be given to cleverly working a financial benefit to the Mexican government of approximately 125% of the estimated cost, such

Page #4

benefit to be paid under a foreign aid appropriation under circumstances completely compatible with the dignity of the Mexican government.

With kind personal regards.

Cordially yours,

JOHN G. SOBIESKI

JGS: SB
Enc.

✓ CC: Governor Edmund G. Brown

STANLEY MOSK
ATTORNEY GENERAL

*From Governor's
out-basket
4/18*

STATE OF CALIFORNIA



093348

DEPARTMENT OF JUSTICE
Office of the Attorney General

LIBRARY AND COURTS BUILDING, SACRAMENTO

April 11, 1960

File

RECEIVED
GOVERNOR'S OFFICE
1960 APR 12 AM 9 30

Honorable Edmund G. Brown
Governor of California
State Capitol
Sacramento 14, California

Dear Governor Brown:

You recently asked me to check into the narcotic background of the two young men, Robert Fulmer and Charles Lindstrom, who were responsible for killing a high school boy in the Downey area of Los Angeles County.

Attached herewith is a complete report prepared for me on this subject. It does verify that these young men have been narcotic users.

Sincerely yours,

STANLEY MOSK
Attorney General

SM:mlh
Encl.

MEMORANDUM

Office of Attorney General

To: ATTORNEY GENERAL MOSK

At Los Angeles

From: WILLIAM E. JAMES

DATE April 8, 1960

SUBJECT: ROBERT EARL FULMER
C.I.I. No. 1314861
L.A. Case Nos. A-2625 & A-1974
and
CHARLES GORDON LINDSTROM
C.I.I. No. 1538534

Supplementing my earlier oral communication to you regarding the above subjects, I am attaching hereto a memorandum to me from Supervising Agent A. V. Beckner regarding the same, as well as a photocopy of a teletype from Chief Brereton regarding Lindstrom and a C.I.I. record sheet as to Fulmer. Trial on a charge of murder and robbery was to commence yesterday in the Long Beach Branch of the Superior Court with Deputy District Attorney Jack Kirschke trying the matter. Additional information was furnished to Inspector Beckner from Captain Brooks of the Sheriff's Narcotic Detail and Sergeant Sowards of the Sheriff's Office. A summary of the information furnished follows:

The information received from the above sources reveals that Fulmer had 9 distinct hypodermic marks plus scar tissue on his arms, when examined by Sergeant Sowards after the arrest. Lindstrom had 5 distinct hypodermic marks on his arm over a main vein. Fulmer stated that he had started using heroin at age 17 and that he had taken an injection of heroin at his home on the morning of the robbery and murder, approximately 12 hours before the crimes. Fulmer has a prior narcotic record, he was arrested for sales (2 counts) of marijuana in September of 1957 and was received by the Youth Authority in May of 1958. He was then 17 years of age. The files of the Bureau of Narcotic Enforcement also revealed that there had been an earlier arrest made in July of 1957 of the subject Fulmer in which an automobile, owned by Fulmer's father and occupied by Fulmer and two other young boys, was found to contain marijuana seeds. Fulmer's record is contained at the bottom of the first page and top of the second page of Inspector Beckner's memorandum. It indicates that at an early age he was a serious juvenile problem.

To: Attorney General Mosk
Re: Robert Earl Fulmer and
Charles Gordon Lindstrom
Page 2 -

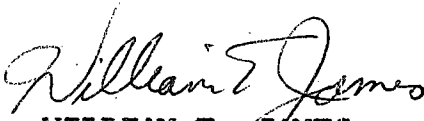
4/8/60

The teletype in regard to Lindstrom reveals that he had apparently escaped from a California Youth Authority camp in 1956. Additional information reveals that his commitment to the camp was for grand theft and burglary. Lindstrom admits smoking marijuana at the age of 17.

The narcotic officers believe that both subjects were former users of marijuana before they commenced the use of heroin.

The District Attorney advises that these subjects stated as a reason for the robbery that they were broke and needed money. Their story to the officers was that the gun held by Fulmer went off accidentally, killing the victim. We shall be advised concerning the outcome of the proceedings in Long Beach.

If any further or additional information concerning these two subjects is required, we shall make every effort to obtain it.


WILLIAM E. JAMES
Assistant Attorney General

Attach.
WEJ:fg

MEMORANDUM

Department of Justice

To: William James, Assistant Attorney General

AT Los Angeles

FROM: A. V. Beckner, Supervising Agent

DATE April 7, 1960

SUBJECT:

Robert Earl FULMER, CII # 1314861 - L.A. Case Nos. A-2625 and A-1974

a n d

Charles Gordon LINDSTROM, CII # 1538534:

Reference is made to your telephone call requesting background information on the above-named subjects in order to properly reply to Attorney General Mosk's recent request concerning this matter.

Please be advised that in checking the Los Angeles case files, it was revealed that subject Fulmer was the subject of an arrest by officers of this bureau and the Downey Police Department during September, 1957. Subject was arrested on 9/29/57 for sales of marihuana to undercover officers. During this investigation, a number of other persons were involved in the use and sales of marihuana. Fulmer's case was referred to the Juvenile Court for conclusive action. On reviewing his record we note that at the time of his arrest he was 17 years of age, and in further reviewing his record sheet as revealed by C. I. & I, Sacramento, it states that on 5/27/58, the subject was received by the California Youth Authority, No. 33916 on the charge of selling narcotics - two counts and he was received from the Los Angeles County Superior Court.

Further review of our case files, under L.A. Case # A-1974, reveals an investigation concerning the above-named Fulmer in connection with an automobile having been seized from him for violation of the narcotic laws. This arrest was made by Deputy Sheriffs attached to the Norwalk Sub Station on 7-30-57, several months prior to the above case. Subject's automobile which was owned by his Father, at that time was found to contain marihuana seeds. At the time of this arrest, he was with two other young boys. This occurrence is not revealed on his CII sheet. However, on both reports, it is noted that the Father of subject is the same, Robert Fulmer, residing in Artesia, and it is also noted that the birth date for subject is the same, 4-1-40, as is the physical description. This case was likewise turned over to the Juvenile Authorities for appropriate action. According to the Sheriff's Office complaint report under their No. Z-421-270, the following is stated:

"SJ 1 - Detained FULMER, Robert Earl, 22420 Funston, Artesia, N/P
MW 17 4-1-40, 160, 5-8, Hazel Eyes, Brown hair: Occupation: Office Worker
No visible ID marks.

Charge - 700 M WIC 459 PC Burglary, Curfew, C O 3611 & Narcotics,
11500 H & S Code

Detain - Norwalk Station

Arraign - Norwalk CPB & Narco

William James,
Assistant Attorney General

-2-

April 7, 196

"Priors - Missing/Runaway	6-16-54	Z-237-856
Lewd Phone Calls	12-21-54	Z-264-198
700 M WIC Burglary	1-4-55	Z-265-569
Rec. Stolen Property	1-21-55	Z-268-041
Missing Juvenile	1-25-55	Z-268-940
700 B & M, GTA	10-11-55	Z-305-935
700 M Burglary, Narcotics"		

With reference to Charles Gordon LINDSTROM, our files are negative as to this individual. A teletype was directed to CII, Sacramento, requesting a record on the subject which reveals that on 8/27/56, he was received by the California Youth Authority, No. 27922, SUB M CAMP ESCAPE FROM L.A. CO JUV CRT. 5-8-57 Paroled June 1959 Discharged. It reflects a further booking under date of 1/29/59 Sheriff's Office, Los Angeles B 675848 Susp Robbery and Murder.

In attempting to review the current matter; namely, the charge of Homicide against both of the above-named subjects which is presently under official Superior Court action in Long Beach, the undersigned contacted Capt. Richard Brooks of the Los Angeles Sheriff's Office Narcotic Detail regarding the above-named subjects. Capt. Brooks stated that the matter had been fully investigated by the Sheriff's Department and that the narcotic unit had likewise participated in the investigation regarding these subjects. Capt. Brooks stated that Sgt. Sowards, a trained narcotic investigator, questioned and took statements from both of the above-named relative to their narcotic use. According to Capt. Brooks, each of the above-named admitted the use of heroin.

Lindstrom when examined was found to have five distinct hypodermic marks on his arm over a main vein. Fulmer had nine distinct hypodermic marks, plus scar tissue on his arms. Capt. Brooks stated that according to Sgt. Sowards' examination, each of the above-named subjects can be considered narcotic addicts. Capt. Brooks stated that Fulmer when questioned had stated that he had first started using heroin at age 17, and that he had taken an injection of heroin at his home on the morning of the alleged murder which was approximately 12 hours before this act occurred. Capt. Brooks further stated that each of these persons in conversation with Sgt. Sowards stated that their reason for committing the hold up which resulted in the murder was that "They were broke and needed money." It is believed that both subjects were former users of marihuana before their experiences with heroin.

William James,
Assistant Attorney General

-3-

April 7, 1960.

The instant case is set for trial in Superior Court in Long Beach on the date of the writing of this memorandum, 4-7-60. The undersigned has been told that the statements of both subjects and other current information is in the hands of the District Attorney's office at Long Beach and can be reviewed after the instant trial and settlement of the case against the above-named subjects.


A. V. Beckner,
Supervising Agent.

AVB:jf
encs:

LOS

5 CII 4-6-60 1134 PM CRIM
BECKNER NARC LOS
REUR 5 LOS OF DATE SUBJ SAME AS
CHARLES GORDON LINDSTROM
CII 1538534
BLK BRN 5-9 150 MICH 1940
FPC 16 S/L 1/1 U/U IIO/001 16/15
8-27-56 CALIT Y A 27922 SUB M CAMP ESCAPE FROM L A COJUV CRT 5-8-57
PAROLED JUNE 1959 DISCH
1-29-59 SO LOS ANGELES B 675848 SUSP ROBB & MURDER
REFER SS M SIMMONS
BRERETON CII JUS SAC EBS LH

RECEIVED
DEPARTMENT OF JUSTICE

1960 APR 7 AM 12 02

RECEIVED

TELETYPE
LOS ANGELES

DEPARTMENT OF JUSTICE
Bureau of Narcotic Enforcement
LOS ANGELES OFFICE

OFFICE OF THE ATTORNEY GENERAL

BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION

GEORGE H. BRERETON, Chief
P. O. Box 1859, Sacramento

FOR OFFICIAL USE ONLY

6-25-58

The following record,

CII-1314861

16 M 17 - 001 9
S 1 U 000 11

BLK BRN 5-6 140 ARK. 1940

ROBERT EARL FULMER

42625

MAILED OR RECEIVED	DEPARTMENT AND NUMBER	NAME	CHARGE	DISPOSITION
11-13-57	SO, LOS ANGELES, B-517044	ROBERT EARL FULMER	NARC. VIO. (M)	
5-27-58	CALIFORNIA YOUTH AUTHORITY 33916	ROBERT EARL FULMER	SELL. NARC. 2 CTS	FROM L.A. CO. SUP. CRT.

JAMES ROOSEVELT
26TH DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
325 HOUSE OFFICE BUILDING
CAPITOL 4-3121, EXT. 5911

COMMITTEES:
EDUCATION AND LABOR
SELECT COMMITTEE ON SMALL BUSINESS

ED LYBECK
FIELD REPRESENTATIVE

LOS ANGELES OFFICE:
5308 WEST ADAMS BOULEVARD
WEBSTER 4-0144

Congress of the United States
House of Representatives
Washington, D. C.

April 25, 1960

096029
1960 MAY 2 PM 2 01
RECEIVED
GOVERNOR'S OFFICE

Honorable Edmund G. Brown,
Governor, State of California
Office of the Governor
Sacramento, California

Dear Governor Pat:

Just a note to tell you how much I appreciated your excellent statement before the President's Inter-departmental Committee on Narcotics.

I believe that everyone in California gave particularly meaningful statements to the Committee, and while I don't know what the Committee will recommend or approve - we do at least have the resolution calling for a White House Conference on Narcotics which was, as you know, unanimously approved by the House of Representatives. It is now, of course, on the President's desk awaiting his action.

Again, many thanks and all best wishes to you, as always.

Very sincerely,


JAMES ROOSEVELT

JR:gc

April 27, 1960

Mr. Robert A. Neeb, Jr.
9200 Wilshire Boulevard
Beverly Hills, California

Dear Bob:

I think we are very fortunate to have secured Arthur Alarcon as Lawyer and Project Director of the Narcotics Commission. As you may know, in consultation with Harry Kimball, we have been considering his appointment for some time. I enclose a copy of the press release which will appear in Thursday morning's dailies.

I would like to meet with the Commission in Los Angeles on Wednesday May 4th. We will arrange some convenient meeting room in the State Building so that the Commission and Mr. Alarcon may get together and then I would like to meet with you in the Governor's Office at 11 o'clock.

I am asking Cecil Poole to follow this up with each of you.

Sincerely

EDMUND G. BROWN, Governor

CP:mg

April 27, 1960

Honorable Adam E. Jansen
Chief of Police
City Hall
San Diego, California

My dear Chief:

I think we are very fortunate to have secured Arthur Alarcon as Lawyer and Project Director of the Narcotics Commission. As you may know, in consultation with Harry Kimball, we have been considering his appointment for some time. I enclose a copy of the press release which will appear in Thursday morning's dailies.

I would like to meet with the Commission in Los Angeles on Wednesday May 4th. We will arrange some convenient meeting room in the State Building so that the Commission and Mr. Alarcon may get together and then I would like to meet with you in the Governor's Office at 11 o'clock.

I am asking Cecil Poole to follow this up with each of you.

Sincerely

EDMUND G. BROWN, Governor

CFP:jm

April 27, 1960

Mr. Harry Kimball, General Manager
Rickey's Studio Inn Hotel
4219 El Camino Real
Palo Alto, California

Dear Harry:

Enclosed is copy of letter which the Governor
has sent to the other four members of your
Commission.

Kindest regards.

Sincerely

Cecil F. Poole
Secretary

CFP:jm
Enclosure

April 27, 1960

Mr. John Storer
Chief, Bureau of Narcotic Enforcement
1020 N Street
Sacramento, California

Dear Mr. Storer:

I think we are very fortunate to have secured Arthur Alarcon as Lawyer and Project Director of the Narcotics Commission. As you may know, in consultation with Harry Kimball, we have been considering his appointment for some time. I enclose a copy of the press release which will appear in Thursday morning's dailies.

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I am asking Cecil Poole to follow this up with each of you.

Sincerely

EDMUND G. BROWN, Governor

CP:mg

April 27, 1960

Mr. Walter S. Binns
554 W. 5th
San Pedro, California

Dear Walter:

I think we are very fortunate to have secured Arthur Alarcon as Lawyer and Project Director of the Narcotics Commission. As you may know, in consultation with Harry Kimball, we have been considering his appointment for some time. I enclose a copy of the press release which will appear in Thursday morning's dailies.

I would like to meet with the Commission in Los Angeles on Wednesday May 4th. We will arrange some convenient meeting room in the State Building so that the Commission and Mr. Alarcon may get together and then I would like to meet with you in the Governor's Office at 11 o'clock.

I am asking Cecil Poole to follow this up with each of you.

Sincerely

EDMUND G. BROWN, Governor

GP:mg

May 10, 1960

Mr. George H. White
District Supervisor
Treasury Department
Bureau of Narcotics
144 Federal Office Building
San Francisco 2, California

Dear George:

Thank you very much for the copy of the White Paper entitled "The Problem of Narcotic Drugs in Hong Kong." I am sending it to Harry Kimball and Arthur Alarcon (the new executive officer of the Narcotics Commission.)

I am most anxious to do whatever I can to help restore sensible and cordial relationship between local narcotics officers of this State and the Federal agents. It is perfectly ridiculous that there should be any clash, and as far as I am concerned, I think the sooner harmonious relationships are restored the better. I know how you feel about this and I would like to talk to you in confidence about it very soon.

Sincerely

EDMUND G. BROWN, Governor



OFFICE OF
DISTRICT SUPERVISOR
DISTRICT NO. 14
STATES OF CALIFORNIA, NEVADA
AND ARIZONA

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
144 FEDERAL OFFICE BUILDING
SAN FRANCISCO 2, CALIF.

May 3, 1960

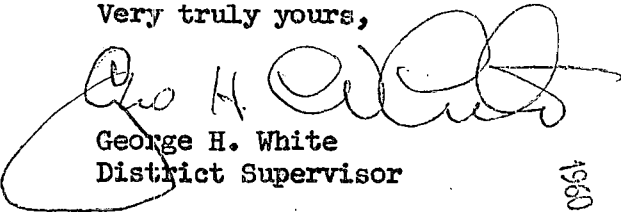
096285

Honorable Edmund P. Brown
Governor of California
State Capitol
Sacramento, California

Dear Mr. Brown:

We are enclosing herewith a copy of a
White Paper laid before the Legislative Council of the
British Government at Hong Kong, entitled: "The Problem
of Narcotic Drugs in Hong Kong", which it is felt will be
of interest to you.

Very truly yours,


George H. White
District Supervisor

Encl.

RECEIVED
GOVERNOR'S OFFICE
1960 MAY 4 AM 8 46

MEMBERS
EUGENE F. ALLEN
TOM BANE
PHILLIP BURTON
GEORGE G. CRAWFORD
ROBERT W. CROWN
LOUIS FRANCIS
VERNON KILPATRICK
NICHOLAS C. PETRIS
JEROME R. WALDIE

PAMELA THOMPSON
COMMITTEE CONSULTANT
SACRAMENTO
TERRY S. FURY
COMMITTEE SECRETARY
SACRAMENTO

California Legislature

Assembly Interim Committee

on

Criminal Procedure

ROOM 4110, STATE CAPITOL
SACRAMENTO 14, CALIFORNIA

JOHN A. O'CONNELL

CHAIRMAN



April 29, 1960

C
O
P
Y

Honorable Dwight D. Eisenhower,
President of the United States
White House
Washington 25, D. C.

Dear Mr. President:

I would like to call to your attention the serious situation in the State of California with regard to narcotics addiction. This is a problem which results, in large part, from our extensive international borders and it cannot be corrected without the active intervention of the federal government.

We, in the California Legislature, have long been concerned with this situation and are doing everything we can to rid our state of this contagious infection. However, we find that it is something like swatting mosquitoes in a swamp to fight the problem by jailing each individual addict without getting at the source of supply.

Although there has been effective action taken toward controlling the legitimate international trade in narcotics, smuggling of great quantities of illicit opium continues and will continue as long as unlimited production is allowed in any country.

It is my understanding that the United States is a party to the following treaties which are still in effect:

1. The International Opium Convention signed at The Hague in January, 1912.

Honorable Dwight D. Eisenhower

(2)

April 29, 1960

2. The convention signed at Geneva in July, 1931.
3. The convention adopted by the Second Opium Conference, signed at Geneva, February 19, 1925.
4. The protocol and annex signed at Lake Success, New York, in December, 1946.
5. The protocol signed at Paris in November, 1948.

After reading the provisions of these various treaties it appears to me that we would have no narcotics problem in California to speak of if every party to these treaties were religiously adhering to the agreements therein. At any rate, I note that the Commission on Narcotic Drugs developed a protocol in 1953 to limit world-wide production of opium. This protocol has not yet become operative because it must first be ratified by twenty-five nations and so far it has failed to secure this support. Unfortunately, among those nations which have not ratified the 1953 protocol are the world's larger producers of opium.

We, in California, feel that the time has come for the federal government to make a strong effort to obtain an effective international agreement regarding the control of addictive narcotics. In order to obtain compliance with this agreement it should contain some provision for inspection teams such as those proposed in connection with the testing of atomic weapons.

I hope that you will use your treaty-making power to effect some such agreement, either through regular diplomatic channels or through our representative in the United Nations.

Respectfully,

JAO:pk

JOHN A. O'CONNELL

Copies to:

Secretary of State
United Nations representative
California congressional delegation
Governor of California
Attorney General of California
Chairman, California Senate Judiciary Committee

May 19, 1960

Mr. Harry Kimball, Chairman
Special Study Commission on Narcotics
4219 El Camino Real
Palo Alto, California

Dear Harry:

I would appreciate your opinion as to whether the Governor should sponsor the conference on narcotics as indicated in Mr. Kaplan's letter.

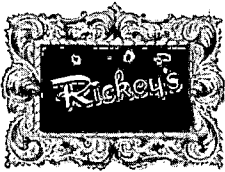
Should he sponsor it he would of course include the Special Study Commission on Narcotics in the programming.

Sincerely

Cecil F. Poole
Secretary

CFP:y
Enclosure

cc: Mr. Arthur Alarcon



Main Office:
4219 EL CAMINO REAL
PALO ALTO, CALIFORNIA

99561

May 25, 1960

RECEIVED
GOVERNOR'S OFFICE
1960 MAY 27 AM 9 16

Mr. Cecil F. Poole
Secretary
Governor's Office
State Capitol
Sacramento 14, California

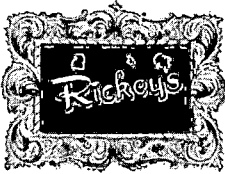
Re: Suggested Governor's Conference on Narcotics
University of California at Los Angeles

Dear Cecil:

Reference your letter dated May 19, enclosing a copy of a letter to Governor Brown from Mr. Abbott Kaplan, Director, University of California Extension--Southern Area, Los Angeles 24, California, in which Mr. Kaplan sets forth general plans for a suggested governor's conference on narcotics. I strongly believe that such a conference, and possibly even a series of conferences throughout the State, would be extremely desirable.

It is my firm opinion that one of our Commission recommendations will necessarily be that the Governor be urged to have set up through our vast system of State colleges some type of training program for law enforcement officers, probation officers, social workers, school counselors, social agencies, and even the public at large, as suggested by Mr. Kaplan. If we are to really do battle with the narcotics problem, it will take the united efforts of all the citizenry.

I also agree with you that by all means the Special Commission on Narcotics should be included in the programming.



Main Office:
4219 EL CAMINO REAL
PALO ALTO, CALIFORNIA

Mr. Cecil F. Poole
May 25, 1960
Page 2

inasmuch as I feel confident that by the time we submit
our final report to Governor Brown we will probably
have the most complete information available in any one
place in the country.

Sincerely,

A handwritten signature in dark ink, appearing to read "Harry M. Kimball". The signature is fluid and cursive, with a large initial "H" and "K".

Harry M. Kimball, Chairman
Governor's Special Commission on Narcotics

cc: Mr. Arthur Alarcon
Room 200
909 South Broadway
Los Angeles 15, California

May 26, 1960

Mr. Arthur Alarcon, Executive Director
Special Study Commission on Narcotics
Care Department Youth Authority
909 South Broadway
Los Angeles, California

Dear Arthur:

The Treasury Department has compiled a brochure setting forth major penalty provisions for violation of the narcotic laws of the several States. Colonel George White, District Supervisor, has sent a copy to Governor Brown. The material seems to be most interesting and perhaps by communication with him you might be able to secure additional copies.

Sincerely

Cecil F. Poole
Secretary

CFP:jm

cc: Harry Kimball

May 26, 1960

Mr. George H. White
District Supervisor
Bureau of Narcotics
144 Federal Office Building
San Francisco 2, California

Dear Colonel White:

The Governor has asked me to convey his
thanks for the copy of the brochure
concerning penalty provisions for narcotic
violations.

Sincerely

Cecil F. Poole
Secretary

CFP:jm



OFFICE OF
DISTRICT SUPERVISOR
DISTRICT NO. 14
STATES OF CALIFORNIA, NEVADA
AND ARIZONA

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
144 FEDERAL OFFICE BUILDING
SAN FRANCISCO 2, CALIF.

May 23, 1960

99222

1960 MAY 25 AM 8 24

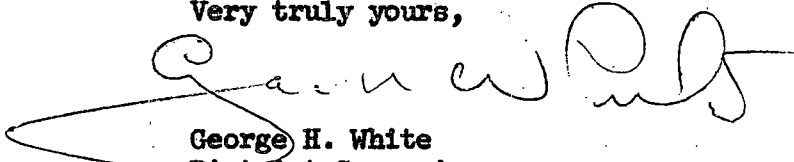
RECEIVED
GOVERNOR'S OFFICE

Honorable Edmund G. Brown
Governor of California
Capitol Building
Sacramento, California

Dear Sir:

We are enclosing herewith a copy of a
brochure compiled by our Bureau concerning Penalty Provisions
for narcotic law violations throughout the various States,
which it is felt may be of interest to you.

Very truly yours,


George H. White
District Supervisor

Encl.

Narcotics

May 26, 1960

Mr. Richard R. Rogan
Chief Deputy Attorney General
Office of the Attorney General
State Building
Los Angeles 12, California

Dear Dick:

This will acknowledge your letter of May 17 addressed to the Governor, and enclosing a thermofax copy of the letter and translation concerning a meeting between Fernando Lopez Arias and Governor Brown.

We note that Mr. Arias will again communicate with you with regards to the above meeting as soon as he is able to terminate some problems. We shall therefore look forward to hearing from you again.

Kindest personal regards.

Sincerely

Cecil F. Poole
Secretary

CFP:jm

STANLEY MOSK
ATTORNEY GENERAL

STATE OF CALIFORNIA

RICHARD R. ROGAN
CHIEF DEPUTY ATTORNEY GENERAL



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, LOS ANGELES 12

May 17, 1960 ✓

098382

Hon. Edmund G. Brown
Governor
State of California
Capitol Building
Sacramento, California

Dear Pat:

Enclosed is a copy of a letter and translation concerning a future meeting between Fernando Lopez Arias, the Attorney General of Mexico, and you.

Sincerely,

RICHARD R. ROGAN
Chief Deputy Attorney General

RRR:nc
enc.

RECEIVED
GOVERNOR'S OFFICE
1960 MAY 18 AM 11 38

Mexico, Federal District,
April 28, 1960.

Mr. Richard R. Rogan
Chief Deputy Attorney General
600 State Building
Los Angeles 12, California

Dear Sir:

I have been trying to find an opportunity to have an interview with Mr. Edmund G. Brown, Governor of the State of California, but at the present I am trying to terminate some problems which I have here.

At the earliest opportunity I will contact you so that we may set a date for my interview with Governor Brown. Please give him my regards.

Your friend and servant,

Attorney Fernando Lopez Arias

PROCURADOR GENERAL DE LA REPUBLICA

México, D.F., abril 28 de 1960.

Sr. Richard R. Rogan.
Chief Deputy Attorney General.
600 State Bulding.
Los Angeles 12, California.

Estimado señor:

He estado tratando de ver la posibilidad de entrevistarme con el Sr. Edmund G. Brown, Gobernador del Estado de California, lo que haré hasta encontrar la forma de dejar terminados algunos problemas que tengo por acá.

Con toda oportunidad, me pondré en contacto - con usted para comunicarle la fecha en que podré entrevistarme con el Señor Gobernador Brown, a quien le ruego saludar.

Me es grato reiterarme de usted, afectísimo amigo y servidor.

Lic. Fernando López Arias.

FLA/dr.

THE WHITE HOUSE

WASHINGTON

May 27, 1960

Dear Mr. Kimball:

This is in reply to your letter to the President of May seventeenth in which you recommend that he call a White House conference to consider the illegal traffic in narcotics throughout the United States.

The President's Interdepartmental Committee on Narcotics, comprising representatives of all the departments in the Executive Branch of the Government concerned with the narcotics problem, has been intensively studying the narcotics problem. As you undoubtedly know, this Committee held hearings in California in April. On May eighteenth, the Committee concluded similar hearings in New York City. The narcotics situation is the most serious in these two areas of the country.

Control of the vicious narcotics traffic and addiction requires a wide variety of effort including international controls, enforcement activities at the borders and within the country, penalties, medical and rehabilitation efforts. Cooperative work between Federal, State and local governments and community groups is, of course, necessary to attack the problem successfully.

The Interdepartmental Committee is studying the problem in all of the above areas and, following the conclusion of the public meetings, is now preparing its report to the President. The Committee is particularly concerned with a thorough review of the voluminous material it received during the hearings in California and in New York. The

- 2 -

President will be better prepared to decide on the value and necessity of a White House conference on narcotics after he receives the report of the Committee.

In case you have not seen a copy of the Committee's earlier report made in February 1956, I am enclosing one for your use.

Sincerely yours,



David W. Kendall
Special Counsel to the President

Mr. Harry Kimball
Chairman
California Special Commission
on Narcotics
4219 El Camino Real
Palo Alto, California

Enclosure

May 27, 1960

Mr. Arthur Alarcon
Executive Director
Special Study Commission on Narcotics
Care Department Youth Authority
909 South Broadway
Los Angeles, California

Dear Arthur:

Thank you for the letter of May 25.
Presently I expect to be in Los Angeles
Tuesday May 31st. I would like to see
you some time during that day. Would you
call me at the Los Angeles office some
time between 10:00 and 12:00 on Tuesday.

Sincerely

Cecil F. Poole
Secretary

CFP:jm

June 1, 1960

Mrs. James R. Christiansen
1449 Anderson Lane
Santa Barbara, California

Dear Barrie:

I see that you have had a response from
the Governor.

If, while trying to see him, you want to
discuss the narcotics program with some-
one in authority, I have been told to refer
you to Mr. Arthur Alarcon, Executive Director,
Special Study Commission on Narcotics,
Department of Youth Authority, 909 South
Broadway, Los Angeles, California. If you
should communicate with him, indicate that
you are doing so at the suggestion of the
Governor's staff.

Best regards to you and Jim.

Sincerely,

Harry Girvetz
Research Secretary

HG:ps

cc: Cecil Poole ✓

May 27, 1960

Mrs. James R. Christiansen
President, Democratic League
of Santa Barbara County
Santa Barbara, California

Dear Barrie:

Rather than have you come all the way up to Sacramento to discuss the narcotics problem, would it be easier for you to see me when I am in Los Angeles on one of my frequent trips? Or possibly you and your husband may be making a trip to Sacramento in the next two or three weeks and, if so, suggest a time convenient to you.

I will be away for the National Governors' Conference and the National Conference of Attorneys General so I will not have too much time in Sacramento. However, as I said, any time convenient to you will be fine with me, as long as we can get together.

Sincerely

EDMUND G. BROWN, Governor

ELM:HA

cc: Social People

no prob

SEPULVEDA JUNIOR WOMAN'S CLUB

SEPULVEDA, CALIFORNIA

101549

June 7, 1960

The Honorable
Edmund G. Brown
State Capitol
Sacramento 14, California

1960 JUN 10 PM 1
RECEIVED
GOVERNOR'S OFFICE

Dear Governor Brown:

Thank you for sending a copy of your March 15, 1960 press release on the narcotic menace. Your concern over the constitutionality of the measure drafted by Los Angeles county officials to permit introduction of certain kinds of evidence in narcotic cases that is now illegal does make me stop and wonder just who we are protecting. I don't really believe that our dope peddlers and addicts need too much protection except from each other. We seem to be tying the hands of our police and giving criminals every advantage.

Somehow or other the law is doing an admirable job though but when they do get a good case, get a conviction and get the prisoner up for sentencing the judge acts as if there were some poor abused man, the victim of circumstances and gives the minimum sentence without apparent regard to previous criminal records. I agree with you that our narcotics laws are adequate. Our judges just do not seem to care about protecting our citizens from repeat offenders. Eventually almost all addicts become peddlers, in order to support their habit. Perhaps a minimum sentence should be written into each law that will take into account the number of previous convictions.

You are to be commended for setting up a special Crime Commission on the Narcotics Problem. Let's hope that by next January 1 our ideal solution will be reached.

Sincerely yours,

SEPULVEDA JUNIOR WOMEN'S CLUB

Marian A. Herzer
Marian A. Herzer, (Mrs. J. G.)
Americanism, Legislation and
Resolutions Chairman

10130 Sophia Avenue
Sepulveda, California

1449 Anderson Lane
Santa Barbara, California
June 7, 1960

Honorable Edmund G. (Pat) Brown
Governor of the State of California
Sacramento, California

Dear Pat,

Thank you for your letter of May 27th regarding a mutually convenient time and place to discuss Narcotics Legislation.

My schedule is reasonable flexible, so I would suggest that you name a definite time and place. Either Los Angeles or Sacramento would be convenient for me.

Sincerely yours,

Barrie Christiansen,
President, D.L. S.B.

P.S.

You are to be congratulated on your firm stand on the present administration's foreign policy.

DEMOCRATIC LEAGUE
OF SANTA BARBARA COUNTY
SANTA BARBARA, CALIFORNIA



1449 Anderson Lane
Santa Barbara, California
June 7, 1960

Dr. Harry Girvetz,
Office of the Governor,
State of California
Sacramento, California

Dear Harry:

Thank you for your recent letter advising me to contact the newly formed Youth Authority Narcotics Division. I am already serving this group as an employee of the Youth Authority, counting and describing our addicted wards.

My interest in this matter, in-so-far as the Governor is concerned, is strictly legislative. Research, treatment and custody are the valid functions of "correctional agencies". Enforcement of legislation is the function of other groups. Legislators and elected administrators have obligations beyond the specific functions of these agencies. These obligations include serving the electorate as a total unit. (Actually, these agencies are the creation of elected representatives, and they cannot go beyond the bounds of administrative and legislative sanction.)

Since we last talked, I have done some further research and have formulated some definite ideas which I think are legislatively and politically feasible. From a purely practical standpoint, I cannot see any effective means of communication except through the Governor.

My interest and motives in this area are somewhat akin to yours in the field of education. I sincerely appreciate your help.

Sincerely yours,

Barrie Christiansen

Barrie Christiansen

June 10, 1960

Mr. Arthur Alarcon
Executive Director, Special Study
on Narcotics, Dept. of Youth Authority
909 South Broadway
Los Angeles, California

Dear Al:

I enclose copy of a memo on wire tapping that I recently received.

You will no doubt find it of interest in connection with your narcotics investigation.

Sincerely

EDMUND G. BROWN, Governor

GD:NM:AS

✓ Mr. Cecil Poole

April 1, 1960

M E M O R A N D U M

From: Paul Ziffren
To: Governor Brown

Re: Wire Tapping

Last Wednesday you mentioned that some of the proponents of wire tapping here suggested that we adopt the New York system, which permits the court to authorize wire tapping under certain circumstances.

I thought you would be interested to know that the New York statute is based upon specific authority granted by the Constitutional Convention of 1938. In California there is no similar authority in our constitution, and I believe that a mere act of the legislature authorizing wire tapping would probably be held unconstitutional in the light of the Supreme Court decision in the Cahan case (People vs. Cahan, 44 Cal. 2d. 434), where the court made the following significant statement:

"We have been compelled to reach that conclusion because other remedies have completely failed to secure compliance with the constitutional provisions on the part of police officers ***." (Emphasis added.)

This conclusion is also based on the language of the California Supreme Court in Wirin vs. Parker (48 Cal. 2d. 890) and by the United States Supreme Court in Irvine vs. California (347 U. S. 128).

Secondly, the basic point is whether such a constitutional provision would be desirable. In this connection, I believe you would find the opinion of Judge Hofstadter of the New York Supreme Court, dated July 11, 1955, very helpful. I am enclosing the portion of the opinion which I believe is most pertinent. You will note that despite the permission granted by the New York constitution and statute, Judge Hofstadter denied the application for an order permitting wire tapping in the particular case for the reason stated in the attached.

Please let me know if there is anything further you want me to do.

SUPREME COURT: NEW YORK COUNTY
SPECIAL TERM PART II

In the Matter of
An Application for an Order
Permitting the Interception of
Telephone Communications
of
Anonymous

The very immunity so given to the wire-taps is alarming. The question before me now, however, is not the use which may be made of the fruits of an accomplished interception, but whether the interception itself should be authorized in the first place. Whatever the purpose of the interception, the stark fact remains that it is an intrusion on the right of privacy. Justice Holmes in his dissent in the Olmstead case referred to wire-tapping as "dirty business" (277 U.S. 438, 469). Justice Roberts in the first Nardone case called it "inconsistent with ethical standards and destructive of personal liberty" (302 U.S. 378, 383).

Nor can we forget the words of Justice Brandeis in his memorable dissent in the Olmstead case:

**** The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be let alone--the most comprehensive of rights and the right most valued by civilized men. **** (277 U.S. 438, 478)

This expression is an accurate appraisal of human values and of the things men hold dear in life. These are concepts not to be brushed aside when judicial action is invoked by which a realm, ordinarily inviolable, is exposed to official invasion and surveillance.

Though I may deplore the fact that the views of Justice Holmes and Brandeis in the Olmstead case did not prevail in the constitutional convention of 1938, I am bound in duty by the quoted provision of the state Constitution (Article I, §12) as the expression of the will of the people of the state that wire-tapping should not be outlawed, however unsavory in character. But when the people declared that "the right of the people to be secure against unreasonable interception of telephone and telegraph communications shall not be violated" they did not speak only hollow words. The recognition of privacy only dimly presaged in older systems of law is part of the expanding concept of the individual's right to be free from unwarranted intrusion (Civil Rights Law, §§ 50-51). The right of privacy is the right "to be let alone" - the right of "inviolable personality." A tapped wire is the greatest invasion of privacy possible. However rationalized, its authorized use has its roots in the amoral doctrine that the end justifies the means. Hence, the most drastic safeguards cannot be too stringent.

The safeguards prescribed in the Constitution itself reveal a clear recognition of the danger which lurks in too ready a use of the power to tap wires. The exercise of the power given by law to authorize a telephone interception is within the broad discretion of the judge to whom application for an order is made. And the real--not nominal--exercise of a true--not formal--discretion is a supremely important procedural safeguard. As Dean Griswold of the Harvard Law School put it:

"Liberty is preserved by the maintenance of proper procedures. It is through procedural rules that the individual is protected against arbitrary governmental action. The complaint against the Star Chamber was chiefly one of bad procedures. Methods and procedures are of the essence of due process. Mr. Justice Brandeis wrote some thirty years ago, 'in the development of our liberty insistence on procedural regularities has been a large factor.' *Burdeau v. McDowell*, 256 U.S. 465, 477 (1921). More recently Mr. Justice Frankfurter has put the same truth in these words: 'The history of liberty largely has been the history of observance of procedural safeguards.' *McNabb v. U.S.*, 318 U.S. 332, 347 (1943)."

The need for the suppression of the crime of gambling is not a consideration exclusive of all other social imperatives. We no longer tolerate the rack and the thumbscrew and like instruments.

The primacy of the community's right to protect itself, certainly "is a postulate inherent in the life" of social order. But we must be zealous to appraise justly the relative spheres of individual right and public interest and maintain an exacting though delicate balance between them. The balance may become precarious at times; and when the sacrifice of privacy does not produce a commensurate advantage to the community the price is too high--to adapt the words of England's new Lord Chancellor, "Weapons designed for the protection of law become the instruments of tyranny" he said recently, echoing Coke's classicism that "every oppression by authority is a kind of destruction***; and it is the worst oppression that is done by the colour of justice."

The telephone is in such gneral use that it is truly a part of our everyday life. It is a ready vehicle of communication for people of every station and everything of mutual human concern, whatever its hature, passes over its wires. Interference with its privacy is a direct assault on liberty, and the maintenance of an interception differs in no substantial sense from stationing a police officer at the elbow of the person using the telephone to record what he says.

A telephone interception is a far more devastating measure than any search warrant. A search warrant is confined to a definite place and to specific items, or, at least, to items of a stated class or description. Those in possession of the searched premises know the search is going on and, when the officer has completed his search, whether successfully or not, he departs. Not so, in the case of a telephone interception. The interception order is obtained ex parte and the person whose line is to be tapped is, of course, in ignorance of the fact. The tap is maintained continuously, day and night. Everything said over the line is heard, however foreign to the stated objective of the law-enforcement officers. The most intimate conversations, personal, social, professional, business or even confidential of an unlimited number of persons may be laid bare. In effect, the line of everyone who is called from or makes a call to the tapped line at any time is being tapped during the maintenance of the tap. When a line in a public telephone booth is tapped, as has on occasion been done, the conver-

sations of people having no relation of any kind to the operator of the place in which the booth is situated or the person whose line is tapped, are overheard.

It is little wonder that Justice Brandeis was moved to say in the Olmstead case:

"As a means of espionage, writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wire-tapping." (277 U.S. 438, 476)

It cannot even be said in partial extenuation of this revolting practice, that it yields worth-while results. The reports submitted to me in the past refute any such claim. As evil as an actual interception is the fear bred in the mind of the average citizen that he may at any time become the victim of one. "The freedom of private communication is a value which will not permit wire tapping except when other vitally important social values require it." (Westin, The Wire-Tapping Problem, 52 Col. Law Rev. 165, 201 (1952).) In his thoughtful study "Freedom, Loyalty, Dissent" Professor Henry Steel Commager observes that "if in the name of security or loyalty we start hacking away at our freedom, *** we will in the end forfeit security as well."

No fact appears here sufficiently compelling to justify the order sought. Indeed, beyond the formal matters prescribed by the statute, the papers disclose little beyond the desire of the applicants for the requested order. It is unnecessary to lay down any absolutes. The court need go no further than determine the pending application for, as Judge Cardozo said in Matter of State Industrial Commission, 224, N.Y. 13, 18, " *** We deal with the particular instance; and we wait till it arises."

The Constitutional right to be free from unreasonable interception of telephone communications is fundamental to ordered liberty. The right should be stoutly preserved, not flattered away. This is not a proper instance for the exercise of the drastic power lodged in the court. The sacrifice is disproportionate to the possible gain.

What I know as a citizen I would not ignore as a judge. Our City has been the symbol of the nation, the seat of its culture and of our commerce-- the center of its influence. It is melancholy to behold her rife with violence, an admittedly lawless community; its inhabitants no longer safe by night or day, in

their persons or their homes. To be redeemed as part of the great American community, its Police Department needs external aid, i. e., a larger force with more pay for the men, and a renewed spirit from within--which its valiant Commissioner seems to be generating; but not more wire-taps; Application denied.

Dated January 11, 1955

June 10, 1960

Colonel George H. White
District Supervisor
Bureau of Narcotics
144 Federal Office Building
San Francisco 2, California

Dear George:

One of these days when you are coming to Sacramento, please let me know. I would like to talk over this narcotics situation with you at your convenience.

I understand that we are not making too much progress despite all the money we are spending. Maybe we should put it all in one place.

I checked the nalline situation and the Department of Corrections have assigned their best men to work with these addicts, but in talking with them they find it is almost impossible for them to get a job. Maybe we should have a separate employment department for these men when they get out. If not, maybe Mr. Anslinger has the answer; that is, keeping them quarantined for the rest of their lives.

Sincerely

EDMUND G. BROWN, Governor

EGB:MCH:ml

cc: Cecil Poole

**INTERDEPARTMENT
ROUTE SLIP**

To

~~Governor Brown~~

FROM

Cec. Poole

DATE

5-24-60

REQUEST

~~1. Governor Brown~~

2. Cecil Poole

IF RUSH, OR SPECIAL, SO INDICATE BELOW

May 24, 1960

Colonel George H. White
District Supervisor
Bureau of Narcotics
144 Federal Office Building
San Francisco 2, California

Dear Colonel White:

Governor Brown has asked me to thank you for the memorandum attached to your letter of May 19, 1960, covering the arrest of Cruz Macias-Perez and Bartolo Flores-Martinez in Tijuana, Mexico.

Sincerely

Cecil F. Poole
Secretary

CFP:y



OFFICE OF
DISTRICT SUPERVISOR
DISTRICT NO. 14
STATES OF CALIFORNIA, NEVADA
AND ARIZONA

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
144 FEDERAL OFFICE BUILDING
SAN FRANCISCO 2, CALIF.

098674

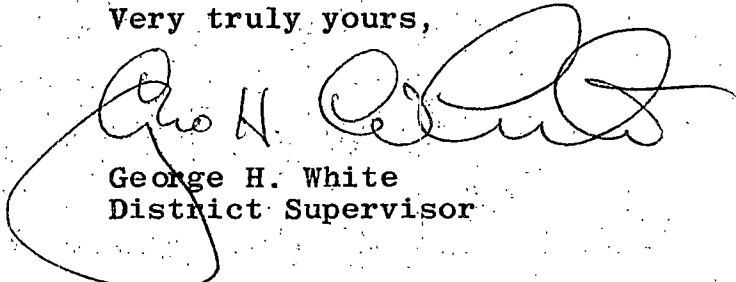
May 19, 1960

Honorable Edmund G. Brown
Governor of California
Sacramento, California

Dear Sir:

Attached herewith for your information
is a copy of our office memorandum in regard to
the arrest of Cruz Macias-Perez and Bartolo
Flores-Martinez in Tijuana, Mexico, which is
self-explanatory.

Very truly yours,


George H. White
District Supervisor

Encl.

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GOVERNOR'S OFFICE
1960 MAY 20 AM 10 02

May 19, 1960

Honorable Edmund G. Brown
Governor of California
Sacramento, California

Dear Sir:

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is a copy of our office memorandum in regard to
the arrest of Cruz Macias-Perez and Bartolo
Flores-Martinez in Tijuana, Mexico, which is
self-explanatory.

Very truly yours,

George H. White
District Supervisor

Encl.

MEMORANDUM REPORT
BUREAU OF NARCOTICS
DISTRICT NO.

CASE FILE NO. <u>71-1170-1</u> SE NO.		GEN. FILE TITLE: <u>Cruz MACIAS-Perez et al.</u>	
REPORT MADE	RELATED FILES	OTHER OFFICERS	
AT: Los Angeles, California DATE: May 16, 1960	Mexican Cooperation	Narcotic Agent; Carl F. Jackson Mexican Federal Judicial Agent; Arturo Morales. Mexican State Judicial Agent; Ernesto Palanco, Tijuana P.M. Agent; Herman Carrillo	
BY: Kenneth W. Conant Narcotic Agent			
SUBJECT OF THIS MEMORANDUM		RECOMMENDATION	
Arrest of Cruz MACIAS-Perez and Bartolo FLORES-Martinez; by Mexican Agents, and seizure of Exhibits #2, #3, and #4. #2 and #3 1 1/2 ounces of heroin.		PENDING: CLOSE: <input checked="" type="checkbox"/> FURTHER INVESTIGATION:	
DETAILS: (This report is over two pages in length; summary in first 4 paragraphs, 100%.)			

- Reference is made to previous memoranda under case file entitled Cruz MACIAS. Particular reference is made to memorandum report by Agent Jackson, dated May 16, 1960.
- On May 11, 1960, at Tijuana, B.C., Mexico, Agents Jackson and Conant met with Mexican Federal Agent Morales. Plans were discussed for the purchase of Exhibit #1 from Cruz MACIAS, by Agent Jackson. Agent Morales stated that a number of state and local agents went to MACIAS's house in November, 1959 to arrest MACIAS. He stated that when they tried to gain entry into the house that MACIAS and his bodyguards opened fire on the officers. MACIAS using an M-1 rifle killed one agent and wounded another. The Agents called for additional help and finally were able to take MACIAS and several other individuals into custody. At that time the Agents found 7 ounces of pure heroin in MACIAS's house.
- This office has information from sources, that one of MACIAS's helpers assumed the blame for possession of the heroin. It is also reported that MACIAS gained his freedom by paying \$10,000.00 dollars to the prosecuting attorney. Since that time MACIAS had considered himself as untouchable. He has stated on several occasions that he would kill the first agent that tried to arrest him.
- Agent Morales stated that under these circumstances he would not risk the life of any agent. Morales further stated that since Agent Jackson would be making the purchase that arresting MACIAS at that time would endanger Agent Jackson's life. Agent Morales then told us of his plan to arrest MACIAS the following morning, while MACIAS was enroute from his home to FLORES's cafe. Agents Jackson and Conant on several occasions had followed MACIAS from his home to the cafe and were able to confirm the usual route taken by MACIAS.
- At about 8:00 AM, on May 12, 1960, at Tijuana, B.C., Mexico, Agents Jackson and Conant were joined by Mexican Agents, Morales, Palanco and Carrillo. The Mexican

COPY OF THIS MEMO FURNISHED TO

SIGNATURES

BUREAU:

2

DISTRICT NO.

Ben White, Mexico City...1

FILES:

2

Governor Brown.....1

Atty. Gen. Mosk.....1

(NARCOTIC AGENT OR INSPECTOR)

Kenneth W. Conant

APPROVED:

(DISTRICT SUPERVISOR)

George H. White

May 16, 1960

Agents in one vehicle, Agents Jackson and Conant in a government vehicle, commenced surveillance at the intersection of Gral. Cuarrero and Ensenada Hi-way. At about 11:10 AM MACIAS was observed driving north on Ensenada Hi-way, in his 1960 two-door Oldsmobile sedan.

6. The Mexican Agents followed MACIAS to the intersection of Ensenada Hi-way and Revolucion, where MACIAS stopped for a traffic signal. The Mexican Agents drove alongside MACIAS's car. Agent Polanco was observed to step out of the Mexican Agents' car and pointed a sawed-off shotgun at MACIAS's head. Agent CARRILLO stepped out of the Agent's car and pulled MACIAS out of his car. Agent Polanco was observed to remove a pistol from MACIAS's person and place MACIAS in the back seat of the Agents' car. Agent Carrillo stepped into MACIAS's car and both cars were driven to the office of the Ministerio Publico. The efficiency of the arrest can best be illustrated, by the traffic signal light. The light was red when the Agents stopped to arrest MACIAS. When the light changed to green, the arrest was completed without any interruption in the flow of traffic.

7. The Mexican Agents searched MACIAS's car and seized approximately 1 ounce of heroin, listed as Exhibit #2. Agent Morales searched the person of MACIAS and seized three twenty dollar bills and one five dollar bill, O.A.F. that had been used for the purchase of Exhibit #1. The seized money is listed as Exhibit #4. The money had been heavily powdered with ultra-violet powder by Agents Jackson and Conant, prior to the purchase of Exhibit #1 by Agent Jackson. MACIAS's hands showed evidence of having handled this money under the ultra-violet lamp.

8. At approximately 11:45 AM of the same date, the Mexican Agents went to "PAPA" cafe, 400 block of 2nd. street, Tijuana, B.C. Mexico. The Mexican Agents entered the cafe and placed defendant Bartolo FLORES-Martinez under arrest. FLORES had an automatic pistol on his person when arrested. This man is reputed to have killed several people, both in his native state of Sinaloa and in Tijuana. A search of the cafe revealed approximately 8 grams of heroin hidden under the counter. Agent Morales found the 8 grams listed as Exhibit #3. The Mexican Agents closed the cafe and sealed it under federal order.

9. Both MACIAS and FLORES are presently being held at the military compound in Tijuana, pending trial. They are charged with possession of heroin and narcotic trafficking. It is understood by the reporting Agent that Mexican Authorities will also file charges on the 1960 Oldsmobile seized from MACIAS.

10. Description of both defendants can be found in memorandum report by Agent Carl E. Jackson, dated May 16, 1960.

MEMORANDUM

Department of Justice

To: Charles A. O'Brien, Chief Assistant Attorney General At San Francisco
FROM: John E. Storer, Chief, Bureau of Narcotic Enforcement DATE July 26, 1960
SUBJECT: BUREAU OF NARCOTIC ENFORCEMENT -
SPECIAL CONTINGENT EXPENSE, \$120,000.00

Pursuant to our several conferences upon the general subject matter, and in accordance with your request, attached are charts and schedules showing disposition of \$120,000.00 special allotment for the Bureau of Narcotic Enforcement in the 1960-61 fiscal year.

There is also attached a duty statement and proposed job description to cover the projected new headquarters office staff position of Narcotic Enforcement Assistant.

The entire plan being submitted calls for the following:

1. Four new Agent positions in the San Diego-Mexican border area and four similar positions in the Los Angeles area. These positions are critically necessary in the areas of greatest need and where the narcotic peddling problem is acute.
2. A new staff position in the Sacramento Headquarters Office. This position, Enforcement Assistant, will augment and supplement the present Administrative Assistant. This will give staff strength both on the side of administration and enforcement.

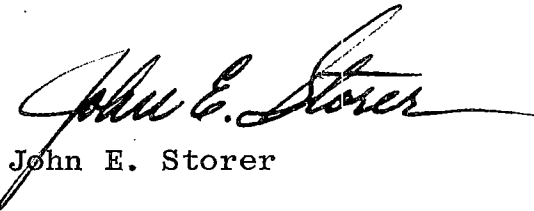
The new position will be an expert in the enforcement field, whose principal duties, as set forth more completely in the attachments, will be the correlating, evaluating and disseminating of intelligence. This will be directed in particular toward the major violator and source of supply. His object will be planning, cooperation and liaison between offices and agencies, as well as the State's enforcement and training problem with respect to Mexican cooperation. The duty statement attached, more fully describes this position.

3. Clerical positions (3) to supplement the new enforcement positions.
4. The sum of \$5,000.00 for scientific, electronic, and photographic investigative aids to be assigned under the

July 26, 1960

immediate direction of the Enforcement Assistant, wherever and whenever the need is greatest. It is contemplated that this equipment will serve to end the shortages which constantly occur where equipment is assigned to a particular field office on a semi-permanent basis.

5. The sum of \$4,000.00 for informers, information, special employees and for intelligence in connection with cooperation with Mexico and liaison with Mexican law enforcement.
6. The sum of \$3,000.00 for the preparation and printing of training and educational aids for local agencies as well as the cooperation with, and the training of, Mexican officers. This training and close cooperation will give California narcotic enforcement valuable aid and strength within Mexico and aimed directly at the source of supply.
7. Lastly, the plan calls for the necessary and basic new equipment for the new positions as set forth herein.



John E. Storer

JES:am
Attachments

BUREAU OF NARCOTIC ENFORCEMENT

Salaries and Wages

San Diego Field Office

Narcotic Agents I (or Narcotic Specialist Agents)	4	\$21,984
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Intermediate Stenographer-Clerk	1	3,810
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Los Angeles Field Office

Narcotic Agents I (or Narcotic Specialist Agents)	4	21,984
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Intermediate Stenographer-Clerk	1	3,810
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Sacramento, Headquarters Office

Narcotic Enforcement Assistant	1	8,940
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Intermediate Stenographer-Clerk	1	3,810
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Total Salaries and Wages	12	\$64,338
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Operating Expenses

General Expense	3,447
Communications	1,500
Travel in State	9,000
Informer-Evidence-Intelligence	4,000
Special employees, etc.	
Printing	3,000

Total Operating Expenses	20,947
--------------------------	--------

Equipment Expenses

Desk, Executive	(9)	\$1,260.00
Chair, Swivel	(9)	370.00
Desk, Typist	(3)	480.00
Chair, Posture	(3)	145.00
Typewriter, Electric	(1)	400.00
Typewriter, Standard	(2)	464.00
File Cabinet	(3)	756.00
Lockers	(8)	520.00
Dictator	(1)	350.00
Transcriber	(1)	350.00
Automobiles	(9)	18,500.00
Radio, two-way	(9)	5,400.00
Sirens	(9)	720.00
Electronic and Photographic		<u>5,000.00</u>
Total, Equipment Expenses		34,715.00

Grand Total: Salary, Operating, Equipment - - \$120,000.00

ENFORCEMENT ASSISTANT -- BUREAU OF NARCOTIC ENFORCEMENT

Function:

As a staff assistant to the Bureau Chief, advises on and assists in the over-all enforcement functions of the Bureau; assists in the planning, organizing, and conducting the internal and external training activities of the Bureau.

Duties:

1. Receives, evaluates, and disseminates narcotic intelligence to the appropriate Field Office.
2. Assists in the planning of large-scale narcotic raids and in the mass arrests of narcotic violators.
3. To ensure continuing cooperation, establishes and maintains liaison between the Bureau and other local and Mexican law enforcement agencies.
4. Studies, evaluates, and makes recommendations regarding strategy, tactics and techniques of narcotic law enforcement.
5. Assists in the preparation of training courses on subjects relating to narcotic enforcement.
6. Assists in the development of handbooks and manuals.
7. Assists in the preparation of public information pamphlets.
8. Analyzes and makes recommendations regarding changes or proposed changes in the laws which might affect narcotic law enforcement.
9. Performs other duties as directed.

ENFORCEMENT ASSISTANT - BUREAU OF NARCOTIC ENFORCEMENT

Definition:

Under direction of the Chief of the Bureau, plans, organizes, and evaluates the results of the Bureau's enforcement activities; plans and directs internal and external narcotic enforcement training; and does other work as directed.

Typical Tasks:

Analyzes and evaluates information in reports of narcotic law violations; acts as a clearing house for narcotic intelligence and, upon receipt of such intelligence, evaluates and disseminates appropriate information to the field offices; makes recommendations to the Chief of the Bureau regarding the need for a shift in enforcement emphasis as the character of the illicit narcotic traffic changes; reviews evidence expense vouchers to ensure most effective use of available funds; assists the Supervising Agents in the planning of major raids and mass arrests of narcotic law violators and acts as an on-the-spot representative of the Chief; studies the narcotic laws of the State and makes recommendations for changing these laws; establishes and maintains continuing liaison between the Bureau and local and Mexican law enforcement agencies. Analyzes the training needs of enforcement personnel and prepares training plans to rectify discrepancies; provides over-all direction for the narcotic enforcement training of local and Mexican law enforcement agencies; prepares training and information pamphlets; prepares reports and dictates correspondence.

ENFORCEMENT ASSISTANT (Continued)

Minimum Qualifications:

Either I

One year experience as a Supervising Narcotic Agent I or Supervising Agent Grade II in the Bureau of Narcotic Enforcement.

Or II

Six years experience in the Bureau of Narcotic Enforcement, at least one year of which must have been as a Narcotic Agent, Grade III.

Or III

Six years experience, three years of which must have been on a supervisory level on the narcotic detail in a metropolitan police force, with the Federal Bureau of Narcotics, or with the U. S. Customs Service; and:

Education:

Equivalent to the completion of the 12th grade; and

Knowledge and Abilities:

Thorough knowledge of the State narcotic laws and methods used in investigating narcotic violations; thorough knowledge of methods used to transport and sell narcotics; thorough knowledge of the workings of the California Triplicate Narcotic Prescription System; ability to gather, analyze, evaluate, and index information contained in reports of narcotic violations and arrive at logical conclusions and recommendations; wide

ENFORCEMENT ASSISTANT (Continued)

knowledge of the principles and methods of employee training, of determining training needs and evaluating training results; general knowledge of the audio-visual aids used in training activities; ability to plan, organize, conduct, and evaluate training programs; ability to write and edit training manuals, handbooks, and informational pamphlets, ability to prepare reports and dictate correspondence.

Monthly Compensation:	\$745	\$782	\$821	\$862	\$905
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June 15, 1960

Mr. Lloyd W. Halvorson
Secretary
The Southern California
Exploratory Conference on
the Narcotics Problem
1407 North Vermont Avenue
Los Angeles 27, California

Dear Mr. Halvorson:

Governor Brown has received your letter of June 1, 1960, and has asked me to express his thanks.

The membership of the Narcotics Commission is limited by law to a maximum number of five, as now constituted, and it is legally not possible to add an additional member.

Sincerely

Cecil F. Poole
Secretary

CFP:y

THE SOUTHERN CALIFORNIA
EXPLORATORY CONFERENCE
ON THE NARCOTICS PROBLEM

100546

With special reference to
Treatment - Rehabilitation - Research - Education - Prevention

June 1, 1960

The Honorable Edmund G. Brown
Governor of the State of California
The Capitol, Sacramento

Dear Governor Brown:

We, the members of the Southern California Exploratory Conference on the Narcotics Problem, expressed to you, on March 31, 1960, our appreciation for your response to our first communication, dated February 25, 1960. In our second letter we urged the addition of representatives to the Governor's Commission on Narcotics from the "religious, educational, sociological and medical-psychiatric professions". We also expressed our hope that the title of the Commission would not include the word "Crime".

We note in newspaper accounts that the Commission now is referred to as a "Study Commission"; this, we believe is a real improvement and permits a much wider scope and approach to the work being undertaken. However, we still are concerned that the Commission be enlarged to include the additional representatives suggested.

We again take the liberty of writing to you about our concern, Governor Brown, for the whole problem of narcotics in our State. We offer to assist in whatever way we can, particularly through your Commission, in presenting pertinent information, ideas and recommendations. We would be glad to send Exploratory Conference members to any of its meetings.

Respectfully yours,

The Southern California Exploratory
Conference on the Narcotics Problem

Eugene E. Golay
Rev. Eugene E. Golay, Chairman

Lloyd W. Halvorson
Lloyd W. Halvorson, Secretary

1407 N. Vermont Avenue
Los Angeles 27, California

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GOVERNOR'S OFFICE
1960 JUN 3 AM 11 39

STATE OF CALIFORNIA

SACRAMENTO 14

Inter-Departmental Communication

To: Honorable Richard A. McGee, Director
Department of Corrections
State Building No. 1

From: Governor's Office

Date: July 22, 1960

File No.

Subject: SPECIAL STUDY
COMMISSION ON NARCOTICS
- LOCATION OF HEADQUARTERS
OFFICE

Dear Dick:

Would like to discuss this with you at your convenience.

Cecil F. Poole
Secretary

CFP:jm
Attachment

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State of California

RECEIVED
GOVERNOR'S OFFICE

SPECIAL STUDY COMMISSION
ON NARCOTICS

1960 JUL 8 PM 4 16

Harry M. Kimball, Chairman
909 South Broadway, Room 200
Los Angeles, California

July 7, 1960

106608

Honorable Edmund G. Brown
Governor of the State of California
State Capitol
Sacramento 14, California

Dear Governor Brown:

On June 29 the Commission had its fourth meeting here in Palo Alto. We discussed with Fred Finsley the policy of the Adult Authority concerning the parole of persons convicted of narcotics law violations.

We were advised at this meeting that the Department of Corrections was planning to set up the headquarters office of the Narcotics Commission in Sacramento some time in July.

After a careful consideration of the advisability of locating the office in Sacramento, the Commission unanimously concluded that its headquarters office should be in the Los Angeles area, rather than in Sacramento.

The narcotics problem is most serious in Southern California. It is in Los Angeles that the newspapers and the radio and television commentators have aroused the interest of the public as to the need for new legislation or improved techniques for the handling of the narcotics problem. The strongest agitation for a special session of the California Legislature came from public officials in Southern California.

Most of the time of the Commission's staff will be spent in the Los Angeles area researching facts, interviewing officials concerned with the narcotics problem, and studying the records of the District Attorney's Office, the local law enforcement agencies, the Los Angeles County Clerk, the Superior Court of Los Angeles County, and the Probation Office. Were the offices to be located in Sacramento, a great deal of time and public monies would be expended in traveling to Southern California.

Honorable Edmund G. Brown
Governor of the State of California
July 7, 1960

Page 2

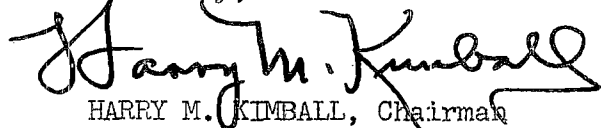
The Nalline program is being conducted by the Department of Corrections in the Los Angeles area and at Chino. Our staff is carefully studying this program to see what effect it will have on the narcotics problem.

Three of the five Commissioners live in the Southern California area. As the work of the Commission progresses, it may be necessary for the Commissioners to have access to the Commission's files and records, as well as to the services of the staff and its secretaries.

The Commission feels that the work of the Commission should be free from any suspicion that it is subject to the influence of any state department which it is studying. Since the Commission has been charged with the responsibility of studying the Adult Authority's handling of prisoners convicted of narcotics law violations, it would be better to completely divorce the Commission's physical location from that of the Department of Corrections in Sacramento.

For all of the reasons set forth above, we respectfully request that you use your good offices to cause the headquarters of the Commission to be located in Los Angeles.

Sincerely,

A handwritten signature in dark ink, reading "Harry M. Kimball". The signature is fluid and cursive, with the first name "Harry" being more prominent than the last name "Kimball".

HARRY M. KIMBALL, Chairman
California Special Study Commission
on Narcotics

HMK:CG

State of California
SPECIAL STUDY COMMISSION
ON NARCOTICS

Harry M. Kimball, Chairman
909 South Broadway, Room 200
Los Angeles, California

108550

July 25, 1960

Cecil F. Poole
Extradition and Clemency Secretary
Governor's Office
Sacramento 14, California

Dear Cecil:

Since I last wrote you about the activities of the Narcotics Commission, we have met in San Diego, Palo Alto, and Los Angeles. We are planning to meet about every two to three weeks until our December report is completed.

In our Palo Alto meeting, we spent the entire session with Fred Finsley discussing the policy of the Adult Authority concerning parole for narcotics law violators. We learned among other things that since the creation of the Narcotics Commission, the Adult Authority has increased the minimum time before which narcotics law violators are released.

At our most recent meeting in Los Angeles, we met with Judge Louis Purke and Judge Lewis Drucker of the Los Angeles Superior Court and discussed with them their views on punishment for narcotics law violators and whether the discretion now lodged with the trial judge should be taken away from him with reference to the type of sentence to be meted out for such procedures. We also met with Dr. Stuart Knox of the Los Angeles Medical Association who appeared as a representative of the California Medical Association. He discussed with us the attitude of the medical profession towards the type of treatment necessary to effect a cure for narcotics addiction.

We are planning to meet sometime in the middle of August with Frank Coakley, Tom Lynch, and Colonel White to discuss the Cahen Case and Priestly Case and their views as to the adequacy of the present laws with reference to punishment for narcotics law violations.

The Commission would very much like to meet with Governor Brown at his convenience to discuss the two bills before Congress which seek to set up Grants-In-Aid for the states having hospitals for narcotic addicts.

100 JUL 26 PM 2 39

RECEIVED OFFICE

Cecil F. Poole

-2-

July 25, 1960

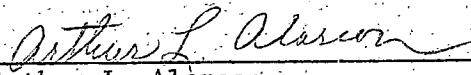
This bill would pay one-half of the cost per day for a patient. Senator Jacob Jabits recently introduced his bill to this effect and this bill is identical with the one I discussed with you previously introduced by Congressman Victor L. Anfuso.

I have enclosed a copy of the Jarvits Bill. As I mentioned to you before, the Commission feels that Governor Brown might be interested in publicly supporting this bill since stamping out of narcotics addiction through cure and treatment of the addict can certainly be one of the most direct means in eliminating the problem of the illegal trafficking in narcotics.

Just to keep you up-to-date in the Teitlebaum affair, on June 21, 1960, the Superior Court here in Los Angeles granted the insurance companies a motion for a new trial on the grounds that the Plaintiff Albert Teitlebaum had failed to produce sufficient evidence to sustain the jury's verdict in his behalf.

I am looking forward to our next meeting face to face. Since we last spoke, I have learned many things about the narcotics problem and I hope that we will be able to come up with a report in December which will be reasonable, objective, and helpful in controlling the problem.

Cordially,


Arthur L. Alarcon
Project Director
California Special Study Commission
on Narcotics

ALA:cg
Encl.



OFFICE OF
DISTRICT SUPERVISOR
DISTRICT NO. 14
STATES OF CALIFORNIA, NEVADA
AND ARIZONA

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
144 FEDERAL OFFICE BUILDING
SAN FRANCISCO 2, CALIF.

July 26, 1960

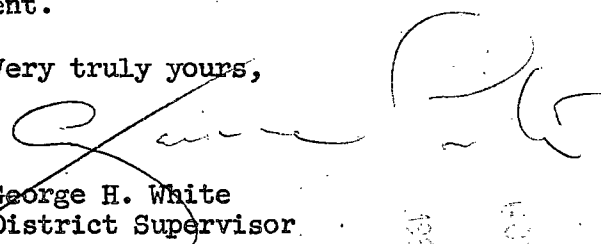
108612

Honorable Edmund G. Brown
Governor of California
State Capitol
Sacramento, California

Dear Sir:

I am attaching hereto for your information
and possible interest a memorandum submitted by Narcotic
Agent Howard W. Chappell, under date of July 20, 1960,
in which statistical information is furnished regarding
cases developed during the latter part of 1959, by the
Los Angeles Police Department.

Very truly yours,


George H. White
District Supervisor

Encl.

1960 JUL 27 AM 10 07
RECEIVED
DISTRICT SUPERVISOR'S OFFICE

GEORGE H. WHITE
District Supervisor

July 20, 1960

HOWARD W. CHAPPELL
Narcotic Agent

The following information has come to my attention. Perhaps the Bureau, and more specifically the Statistical Section, might be interested for some possible use in the future.

Three months prior to August 1, 1959, the Los Angeles Police Department engaged in an undercover campaign for the purpose of developing as many cases through a purchase program as possible. The purchases were made by police officers. The roundup of the cases developed during the aforementioned period started on August 1, 1960. Cases were made and indictments returned against 79 persons.¹⁹⁵⁹ The following dispositions were made of the defendants:

Number of defendants . . . . .	.79	
Number of convictions . . . . .	.47	60%
Number of cases pending . . . . .	.3	038%
Number of cases dismissed . . . . .	.3	038%
Number of acquittals . . . . .	.7	08%
Number not identified or not apprehended . . . . .	.19	24%

During a three-month period beginning in August, 1959, the Los Angeles Police Department engaged in a similar campaign. Purchases were made from and indictments were returned against 126 defendants. The following dispositions have been made of these cases:

Number of defendants . . . . .	.126	
Number of convictions . . . . .	.85	67%
Number of cases pending . . . . .	.6	5%
Number of cases dismissed . . . . .	.12	10%
Number of acquittals . . . . .	.7	5%
Number not identified or not apprehended . . . . .	.16	13%

The percentage in each instance has been given with the above statistics. The thing of interest to me in these figures is that the defendants were indicted on the bases of sales made directly to police officers. The percentages of all acquittals, dismissals, and fugitives, either identified or not apprehended, are extremely high.

GEORGE H. WHITE
District Supervisor

July 20, 1960

The following information has nothing to do with the aforementioned statistics; however, it is information which is readily available in the Los Angeles Office and is forwarded in a composite form for your information: Out of a total of 192 major heroin peddlers arrested in 1959 and part of 1960, 61 of them were either on State parole or probation. This is 32% of the defendants. In other words, almost 1/3 of all of the major heroin peddlers we prosecuted were already on probation or parole for previous crimes committed in the State of California.


Howard W. Chappell



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, SAN FRANCISCO 2

August 5, 1960.

Hon. Cecil F. Poole
Secretary
Governor's Office
State Capitol
Sacramento, California

Dear Mr. Poole:

In compliance with your request I am enclosing copy of the questionnaire relating to narcotics, which was sent to the district attorneys throughout the State.

Sincerely yours,

Charles A. O'Brien

CHARLES A. O'BRIEN
Chief Assistant
Attorney General

CAO'B:W

enc.

1. Do you believe present narcotic penalties are adequate?
Yes 29 No 9 No opinion 3
2. Our California system has favored indeterminate sentence laws.
Do you believe that they should apply to narcotic cases in
the same manner as they apply to other serious felonies?
Yes 28 No 10 No opinion 1
3. Do you favor mandatory sentences, without possibility of
probation, for all narcotic addicts?
Yes 8 No 32 No opinion 1
4. Do you favor mandatory sentences, without possibility of
probation, for sellers of heroin?
A. For the first offense? Yes 22 No 17 No opinion 2
B. For the second offense? Yes 33 No 5 No opinion 3
C. For subsequent offenses? Yes 36 No 3 No opinion 2
5. Do you favor mandatory sentences, without possibility of
probation, for sellers of marijuana?
A. For the first offense? Yes 12 No 25 No opinion 2
B. For the second offense? Yes 26 No 13 No opinion 1
C. For subsequent offenses? Yes 29 No 5 No opinion 2
6. Would your answers to questions four and five be any different
if the penalties were limited to those selling to minors?
If so, please explain:
Yes - 7 No - 20
7. Do you believe there should be a minimum amount of contraband
involved in a sale for imposition of more drastic penalties?
Yes 4 No 30 No opinion 5
8. If your answer to question seven is "Yes," and you wish to
explain the quantities you believe significant, please do so:

9. Do you believe there is a point at which the severity of
penalty makes the obtaining of convictions more difficult?
Yes 33 No 7 No opinion 1

10. Our system of penology has been developed on a theory that state prison inmates need the opportunity of parole as an inducement toward good behavior and rehabilitation. Do you favor an exception to that principal in cases involving narcotic sales so that there may be, under some circumstances, sentences "without possibility of parole?"
Yes 24 No 15 No opinion 2
11. If the answer to the foregoing is "Yes" and you wish to explain, please do so:

12. Should the number of members of the Adult Authority who can authorize parole in narcotic cases be increased? Yes 7
No 16 No opinion 18
13. Do you favor making the Nalline test a condition of probation or parole in every case involving the use of narcotics?
Yes 36 No 3 No opinion 2
14. Do you believe more State narcotic officers are necessary to assist local communities? Yes 25 No 6 No opinion 10
15. Do you feel that any additional legislation in the narcotics field not covered above is necessary?
Yes 24 No 4 No opinion 13
16. If the answer to fifteen is "Yes" what suggestions do you have?

_____ search & seizure; informers, etc., - 18

17. Do you feel the subject is of sufficient urgency as to justify a special session of the legislature? Yes 6
No 28 No opinion 13
18. If you have any other comments or views, I should appreciate your expressing on the back of this questionnaire or on a separate sheet of paper such comments.

District Attorney

County



State of California

SPECIAL STUDY COMMISSION
ON NARCOTICS

Harry M. Kimball, Chairman
909 South Broadway, Room 200
Los Angeles, California

August 5, 1960

Cecil F. Poole
Extradition and Clemency Secretary
Governor's Office
Sacramento 14, California

Dear Cecil:

Pursuant to your request of August 2, 1960, I have set forth some of the activities of the Narcotics Commission and its staff since my last report to you.

As will be apparent from this letter, the Commission has not reached the point where it is making formal recommendations. While the Commission has several points upon which all the members agree that a change in the law is necessary, each member of the Commission was quite deeply impressed with the Governor's admonition to the Commission that all sides of each question should be carefully considered with the same objectivity that a trier of fact should exercise in deciding a criminal case. For that reason, no formal recommendations have been agreed upon except the one discussed below.

In June, the Commission held two meetings. On June 8, 1960, the Commission met in San Diego at which time a bill which was introduced before the Congress of the United States by Victor L. Anfuso was discussed. This bill provides for grants-in-aid for the payment of one-half of the cost per bed patient for the treatment of narcotic drug addicts committed through a state civil action to a closed institution.

The Commission, after a careful consideration of the Anfuso proposal, felt that since the narcotics problem is most serious in New York and California, our State would benefit materially by the passage of this bill. Further the Commission felt that a special treatment program in our state hospitals for the treatment of narcotics addicts with adequate follow-up and supervision, similar to the Narcotics Treatment Control Program of the Department of Corrections with its Nalline tests, etc., is vitally important to help eliminate the narcotics program. Under the Anfuso Bill, one-half of the cost per bed patient under such a treatment program for narcotics addicts would be paid for by the Federal Government.

The Commission directed me to confer with you and request that the Governor

August 5, 1960

be advised that the Commission wanted the Governor to be fully informed as to the merits of the Anfuso Proposal. As you may recall, I conferred with you and you suggested that I show the proposed legislation to the Attorney General. I conferred with General Mosk and gave him a copy of the Anfuso Bill referred to above.

After reporting back to the Commission, I was advised to try to arrange a meeting with the Governor and the Commission to discuss this bill. Our next meeting will be in San Francisco during the last week of August. I hope that we can arrange to meet with the Governor for a few minutes on this occasion to discuss this proposal.

On June 29, the Commission met in Palo Alto. The entire meeting was devoted to a study of the Adult Authority's methods and criteria for the parole of narcotics law violators with Chairman Fred Finsley of the Adult Authority. After Mr. Finsley's presentation, some of the members of the Commission remarked that there were specific recommendations which should be made to assist the Adult Authority in determining whether or not a particular narcotics law violator should be paroled. One interesting point developed during the Commission's discussion with Mr. Finsley was the fact that the minimum time before which the Adult Authority will parole a narcotics law violator was revised upward by the Adult Authority in March 1960, which was the month that the Governor appointed the Special Study Commission on Narcotics. Mr. Finsley stated that this revision of policy was in part due to the public concern over the narcotics problem.

On July 20, 1960, the Commission met in Los Angeles with Dr. Stuart Knox, representing the California Medical Association, Judge Louis Burks and Judge Lewis Drucker, representing the Los Angeles Superior Court, and Judge Gerald Kepple, representing the Los Angeles Municipal Court.

Dr. Knox discussed the medical profession's attitude concerning the care and treatment of narcotics addicts. He also discussed his views as to the need for permitting the private doctor to treat the narcotics addict. These problems were discussed as part of the Commission's study of the advisability of bringing the medical profession into the battle against narcotics addiction through increased participation by the private doctor and through a relaxation of the procedural steps necessary for the voluntary commitment of a narcotics addict. Judge Burke and Judge Drucker gave their views to the Commission as to the need for an increase in the penalties for narcotics law violations. They also discussed in detail the sentencing of narcotic law violators in Los Angeles County and the attendant criticism directed to this court.

Judge Burke presented to the Commission a copy of a survey made by the Los Angeles County Clerk concerning the sentences meted out in 1959 for narcotics law violations.

August 5, 1960

The Commission proposes to make a study of each case wherein a narcotics peddler received less than a state prison sentence so as to find out the type of individual involved. Such a study would reveal whether the court exercised a sound discretion or whether the court acted capriciously or exercised poor judgment in sentencing the individual studied to some punishment other than incarceration in the state prison. According to Judge Burke, there were mitigating circumstances in each case wherein the defendant received a county jail sentence.

Judge Gerald Kepple discussed with the Commission the frequency of the use of the search warrant by law enforcement officers in the Los Angeles Judicial District. Judge Kepple was asked to state the availability of a Municipal Judge for the use of law enforcement for the purpose of obtaining a search warrant.

As stated above, our next meeting will be in San Francisco sometime during the last week of August at which time Tom Lynch, Frank Coakley, and Colonel White will be invited to meet with the Commission and discuss the need for increased penalties for narcotics law violators and whether law enforcement is being hampered in any manner by the Cahan and Priestly Cases.

On July 1, 1960, the Commission hired Dr. Arthur Pearl from the Department of Corrections, Research Division, to assist the Project Director in the compilation of statistics and in the various studies ordered by the Commission. The staff is presently preparing a rough draft of all of the recommendations agreed upon to date so that the Commission may formally pass upon these matters and prepare a final draft for the Governor.

The staff is presently conducting a survey of the major cities in California to discover the frequency of the use of search warrants to obtain evidence in narcotics cases. The staff is studying the effect of the 1951 and 1953-1954 Legislation which increased the punishment for narcotics law violations. Under the supervision of the staff, the Los Angeles Police Department, the Los Angeles Sheriff's Office, and the Los Angeles District Attorney's Office are each conducting a survey to determine the true effect of the Cahan and Priestly Cases upon the enforcement of the narcotics laws. We hope that this survey will be able to show in numbers and with reference to specific cases whether law enforcement has in fact been hampered by these cases and to what extent.

The staff is closely studying the narcotics treatment control program of the Department of Corrections. The staff has made frequent trips to the Chino treatment unit to determine for itself whether such a program will actually curb or prevent re-addiction among parolees.

The staff is also studying the Synanon Foundation in Santa Monica. This group has created much controversy in its approach to the treatment of narcotics addicts. There is no professionally trained staff.

August 5, 1960

Its methods and techniques are unorthodox and appear at first glance to be unworkable. Yet, the fact remains that narcotic addicts who have been failures on parole and at Lexington have refrained from the use of narcotics for over a year and some are presently gainfully employed without re-addiction under this program. The staff presently feels that much can be learned from this experiment for possible use by the state in its approach to the treatment of narcotic addicts.

The staff is also studying the Los Angeles County Probation Department's program for the narcotics addict. In July of this year, the Los Angeles County Probation Department was authorized to set up a Nalline testing program. The staff will study this program and compare it with that of the Department of Corrections.

The staff is cooperating with the Los Angeles State College in its seminar to be held in the first week of September for the purpose of teaching educators about the narcotics problem.

The staff has been invited by the Joint Committee on Legislative Organization of the California Legislature to meet with it on August 20, 1960, in San Diego to discuss the narcotics problem.

In addition to the foregoing, the staff is drafting in legislative form certain of the recommendations which the Commission will discuss and is researching the legality or constitutionality of such proposals. The staff is also in close contact with the New York authorities who are presently conducting a pilot program involving the treatment of narcotics addicts in a special hospital program under recent legislation fostered by Governor Rockefeller.

As you can see from the foregoing, we are actively studying the narcotics problem in depth with the objective in mind of presenting a set of sound recommendations to the Governor in December for his consideration.

Cordially,



Arthur L. Alarcon
Executive Director
California Special Study Commission
on Narcotics

ALA:cg

COMMISSION

HARRY M. KIMBALL, *Chairman*
WALTER S. BINNS
A. E. JANSEN
ROBERT A. NEEB, Jr.
JOHN E. STORER

EDMUND G. BROWN
GOVERNOR



ARTHUR L. ALARCON
Project Director

STATE OF CALIFORNIA

Special Study Commission

on

Narcotics

September 1, 1960

PERSONAL AND CONFIDENTIAL

Honorable Edmund G. Brown
Governor of the State of California
State Capitol
Sacramento, California

Dear Governor Brown:

Recently I received a telephone call from Harold Griffen who stated he was calling on behalf of the Republican Associates in Los Angeles. He asked for information concerning the work of the Commission. I told him to contact Arthur Alarcon in Los Angeles. I then instructed Arthur to give Mr. Griffen a copy of a statement of the scope of our study as outlined by you when you created the Commission.

In exchange for this policy statement which had previously been released to the press, Arthur received from Mr. Griffen the enclosed material prepared by the Republican Associates for distribution to all Republican candidates, which clearly indicates that the narcotics problem is going to be turned into a partisan political issue.

The members of the Commission and I felt that you should immediately be made aware of this material issued by the Republican Associates and its implications.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harry".

HARRY M. KIMBALL, Chairman
Special Study Commission on Narcotics

HMK:CG

I have given a copy to John Storer of the Narcotics Bn. with the suggestion he review it and send you a brief on any inaccuracies etc.

Handwritten initials, possibly "KJ", in cursive script.

NARCOTICS
Revision 1, 8/24/60

Research Center
Republican Legislative
Campaign Committee
315 West Ninth, L.A. 15.

CALIFORNIA: DOPE PEDDLERS PARADISE!

Conspicuously omitted from the Brown Legislative Program were proposals to strengthen our state's pitifully weak set of narcotics laws, labeled "the weak link in the chain" of all the states with major dope traffic by Dr. Harry J. Anslinger, United States Commissioner of Narcotics.

AN EVER-INCREASING DANGER: NARCOTICS CRIMES

According to the official annual report of the California Attorney General, Crime in California, 1958 & 1959, juvenile arrests for narcotics offenses increased ~~716~~⁷¹⁶ per cent. Adult felony narcotics arrests went up from 10,440 to 12,145.

FEWER CONVICTIONS, LIGHTER PENALTIES MAKE DOPE PEDDLING A "LOW RISK" ENTERPRISE

One reason for this great increase is that our state's conviction rates are low, and sentences are very light for those who are convicted. A 1959 Federal Narcotics Bureau comparison of the four states with the largest narcotics traffic shows California lagging far behind in convictions:

<u>State</u>	<u>Percentage of Convictions of Narcotics Offenders Arrested</u>
ILLINOIS	76.2 per cent
NEW YORK	71.7 " "
MICHIGAN	68.5 " "
CALIFORNIA	26.6 " "

Further, Crime in California, 1959, states that 56.9 per cent of those convicted are released either on straight probation, or serve one year or less in jail. With the enormous profit-potential in dope peddling, there are many willing to take this kind of "risk".

STIFFER PENALTIES: A PROVEN DETERRENT

Experience in other states strongly indicates that stiffer penalties (while not the whole answer) greatly decrease narcotics traffic. In 1955 Ohio passed a mandatory 20-year sentence for dope peddlers and similar strict laws for other offenses. From 1955 to 1959 the number of new addicts reported dropped from 322 to 31. The number of federal narcotics law violations reported dropped from 153 to 3!

Yet, in California, the State Narcotics Bureau remains undermanned. (See attached table), and the Democratic majority in the legislature has consistently blocked the passage of narcotics reform legislation.

"IS 'GRAPE JUICE' MORE URGENT THAN DOPE ADDICTION?"

Governor Brown refused to allow the Legislature to even discuss narcotics laws during the Special Session for which he sets the agenda. However, he did place on the docket several other items which he apparently considers more urgent than enslavement of our youth by the dope habit. Some of these items were "testing of the juice of fresh grapes," "dues of the Bar Association," "establishment of a municipal court in Walnut Creek," and "constables and marshals in San Bernardino."

If you want to know why California is becoming the Peddler's Paradise - look at the record:

STATE NARCOTICS BUREAU IS UNDERMANNED!

TYPE OF POSITION	Number of Positions 1958-59	
	AUTHORIZED ¹ 92.2	FILLED ² 79.8
SACRAMENTO:		
Chief of Bureau	1	1
Assistant Chief of Bureau (Staff Assistant)	1	0
Agent (Inspector)	9*	8.3*
Technician and Clerk	2	3.9
Tabulating Equipment Operator.	0	1.8
SAN FRANCISCO:		
Chief of Bureau	0	0
Agent (Inspector)	21*	18.7*
Tabulating Equipment Operator	4	0
Technician and Clerk.	6	4.9
LOS ANGELES ³		
Agent (Inspector)	26*	21.6*
Technician and Clerk.	7	5.9
SAN DIEGO		
Agent (Inspector)	7*	5.7*
Technician and Clerk.	1	1
FRESNO		
Agent (Inspector)	6*	5.5*
Technician and Clerk	1	0.9
Temporary Help	0.2	0.6

1. Budget, State of California, Fiscal 1959-60, Page 325.
 2. Budget, State of California, Fiscal 1960-61, Page 364.
 3. Public Information Bureau Abolished and Narcotic Educational Display Removed From State Building.
- * Enforcement Officers. (59.8): Authorized Number: 69.

Harold H. Griffin
Republican State Central Committee
914 South Olive Street
Los Angeles 15, California

THE CALIFORNIA NARCOTICS PROBLEM

Introduction

In the 1959 session of the California Legislature two key bills were introduced for the purpose of improving California's narcotics laws, one in the State Senate and one in the Assembly.

Senate Bill 728, introduced by Grunsky (R), proposed that the "exclusionary rule" by which illegally obtained evidence is excluded from the court be eliminated in narcotics cases, thus closing the loophole by which many narcotics offenders have been acquitted for lack of sufficient evidence. This bill passed the State Senate by a vote of 21-18, the Republicans splitting 11-1 in favor and the Democrats splitting 17-10 against. A motion by Bruce F. Allen (R) to withdraw the bill from committee in the Assembly was defeated by a vote of 41-36, the Republicans favoring the motion 28-4 and the Democrats opposing the motion 37-8. Thus the bill died for the 1959 session.

Assembly Bill 2727 proposed a series of stiffer penalties for narcotics offenders to deter further spread of narcotics traffic. The bill provided for a 5-20 year sentence for illegal sale of narcotics and a 10-40 year sentence for the second offense. Sale of heroin to a person under the age of 18 had a proposed sentence of 10 years to life. All of the above sentences carried the possibility of a fine up to \$20,000. No probation would be allowed except for first offenders. This bill passed the Assembly by a vote of 58-22, with 21 of the "Nays" being Democrats, and was finally killed in the Democratic-controlled Rules Committee in the Senate.

Following the failure of the Democratic 1959 Legislature to pass any significant legislation regarding narcotics, many public officials and civic leaders urged Governor Brown to place narcotics legislation on special call for the 1960 session, as without the Governor's approval no subject can be discussed by the Legislature in an even-numbered year. Despite the great public sentiment for new legislation to curb narcotics, the Governor refused to place the item on special call, even though he placed many other less important items on call, such as dues of the Bar Association, testing of the juice of fresh grapes, and formation of new library districts. Thus no new narcotics legislation emerged out of the 1960 Legislative Session.

In light of this continued opposition on the part of the Democratic Party in California to allow the passage of stronger narcotics laws, as opposed to the repeated attempts by Republicans to secure the passage of reform legislation, the reform of California's lax narcotics laws has become a major partisan issue in the 1960 state Campaign.

It is the purpose of this report to set forth some basic background information on the narcotics problem, both nationally and statewide, highlighting comparisons of California's narcotics problem and narcotics laws with those of other states. The following material should be extremely helpful to Republican candidates and workers who will need to know the facts in the coming months. Requests for further more detailed information on narcotics should be addressed to the author, who is in possession of a wealth of comprehensive data on the problem, some of which has never been published.

(OVER)

THE NATURE OF THE NARCOTICS PROBLEM

Refer to Table #1, for some basic data concerning the distribution of drug addiction by sex, race, age, and drug. Notice the heavy concentration of addiction in the 21-30 age bracket and in those racial categories which are traditionally less privileged. Notice also that approximately 93% of all active drug addicts take heroin.

According to Report #1440, 84th Congress, 2nd Session, (1956), narcotics traffic now over a \$500,000,000 per year business. Addiction is responsible for 50% of all crimes committed in the larger metropolitan areas and for 25% of all reported crimes in the nation. Judging by the reports of new addicts and law violations reported to the Federal Bureau of Narcotics (See Table #2) narcotics traffic has been on the decline from 1955 to 1959.

During this period, California went against this trend and showed a marked uptrend in all three of the categories on Table #2. ~~1959~~ of the other states with any measure of narcotics traffic displayed marked downtrends in these three categories. Furthermore, arrests for narcotics violations in 1959 totaled 12,371, far more than any other state, including New York with 8,278. (See Table IV). The following sections of this report will attempt to explain why the State of California is by itself in presenting an increasing narcotics problem, and suggest methods by which this trend can be reversed.

FEDERAL NARCOTICS LEGISLATION

The Boggs-Daniel Narcotic Control Act of 1956 greatly strengthened the federal system of controlling illicit traffic in narcotic drugs. It provides imprisonment of 2 to 10 years and a possible fine of not more than \$20,000 for a first offense of unlawful possession of narcotic drugs and a minimum mandatory sentence of 5 years in prison for first offenses of illegal sale of narcotic drugs or marihuana, and 10 to 40 years for subsequent offenses, plus possible fines up to \$20,000, with no probation, parole, or suspension of sentence. For unlawful sale or transfer of heroin by a person over 18 years of age to a person under 18, the penalty is 10 years to life imprisonment, or death, at the discretion of the jury. This act also broadened the authority of the Bureau of Narcotics and Customs Bureau to make searches, seizures, and arrests in investigating and prosecuting violators of federal narcotic laws, so that search warrants may be issued at any time of the day or night if probable cause exists. The law also requires the registration of all narcotic addicts and convicted violators of the narcotic and marihuana laws. The passage of this law is given a great deal of credit for the nationwide decline in narcotics violations since 1956 (See Table #2).

NARCOTICS LEGISLATION IN THE VARIOUS STATES

At a meeting of the National Conference of Commissioners on Uniform State Laws in 1932, the Uniform State Narcotic Drug Act was adopted. It consists of 26 sections which define "Narcotics"; forbids the illegal manufacture, possession, or dispensing of the drugs; allows certain individuals to dispense them under state supervision; requires the keeping of records, and prescribes the standards of labeling.

Forty-three states have adopted the Uniform Narcotic Drug Act. California has not adopted the act, but has enacted laws which are similar in scope and effect. The great disparity between state laws occurs principally in the provisions for penalties and the search and seizure provisions. These areas were omitted from the Uniform Narcotic Drug Act because it was felt that these provisions should be decided by each state itself.

(OVER)

One-third of the states make drug addiction an offense. California is one of this minority, and provides for a sentence of 90 days to one year in a county jail for unlawful use or addiction. The court may place a convicted person on probation for not more than 5 years, and in all cases in which probation is granted, require as a condition that such person be confined to jail for at least 90 days. This type of probation makes possible under the present law a program of controlled treatment for the all-important, prolonged followup psychotherapeutic phase of treatment. California is one of the few states which have legislated against addiction which have even minimum facilities for treating addicts. California has eight state hospitals and 12 approved private hospitals for that purpose.

CALIFORNIA'S NARCOTIC PENALTIES

Despite California's relatively advanced system of rehabilitating addicts, her system of deterring the further spread of narcotics traffic through penalties commensurate with the crime is one of the weakest in the nation. According to Dr. Harry J. Anslinger, the U.S. Commissioner of Narcotics, California's penalty laws form "the weak link in the chain" of all states with major narcotics traffic. (1960 Appropriation Hearings.)

California's penalty laws are notoriously weak in two ways: (1) the minimum prescribed penalties are much lower than other states with large narcotics traffic, and (2) persons convicted of narcotics offenses are eligible for parole long before even the minimum sentence is served. (For further details, see Tables V, VI, VII.)

According to "Crime in California, 1958," an official report compiled by the Bureau of Criminal Statistics, State Department of Justice, there were 2,342 persons convicted of felony narcotics offenses in 1958. Out of these, 37.2% were sent to prison, 16.7% to jail, and 40.6% received probation. Of those who received probation, 366 received straight probation, and 584 served a short jail term of less than one year. Of the 584, 452 served less than six months! Furthermore, all of the 392 who went to jail served one year or less. Of the 392, 166 served six months or less! This means that 57.3% of all convicted felony narcotics offenders get off with one year or less! 42% get off with six months or less! According to Senator Edwin J. Regan (D) in the Journal of the State Bar of California, July-August 1958, an important additional reason for the astonishingly low sentences administered for narcotics in California Courts, as well as the low penalties themselves, is the practice of striking prior convictions from the court records and treating a second or third offense in the same manner as a first offense for the purpose of punishment.

By comparison with California, the 1961 Appropriation Hearings in Congress revealed that from 1948 to 1959 the average length of narcotics sentences in U.S. District Courts rose from an average of 20 months to over 75 months.

THE NEED FOR STRICTER PENALTIES AS A DETERRENT

In light of these facts, it is easy to understand why California has the fastest-increasing narcotic crime rate in the nation.

Heroin purchased abroad today for \$3,000 will bring \$300,000 when finally cut, packaged, and sold in the United States. It is no wonder that with these enormous profits narcotic peddlers are willing to risk an occasional sentence of six months or a year, after which they can continue to sell. Some convicted peddlers have even been overheard to refer to such short sentences as a "vacation."

(OVER)

Experience in other states has shown that where stricter penalties are provided for narcotics violations, the traffic in such drugs sharply declines.

Ohio passed a law in 1955 which provided a minimum sentence of 20 years for the first offense of sale of narcotics. Its law further provided for minimums of 2, 5, and 10 years respectively, for the first, second, and third offenses of illegal possession. Possession for sale carried minimums of 10, 15, and 20 years for the first, second, and third offenses. To witness the dramatic drop in narcotic violations and new addicts reported in Ohio after the passage of this law, refer to Table #2.

To answer this need in California, the District Attorney, Sheriff, Probation Officer, and County Counsel of Los Angeles County, where the California narcotics problem is most serious, have issued a Joint Report including recommendations for amendments to the State Narcotic Law. This series of recommendations is the most comprehensive work of its sort known to this Author, and its provisions are summarized in comparison to our present narcotics laws on Table V, VI, and VII.

JUDICIAL RESTRICTIONS ON EVIDENCE

One of the most serious law enforcement problems facing the people of California today are the judicial restrictions on evidence which unduly restrict law enforcement officers in search and seizure procedures and prohibit the admission of evidence essential to obtain convictions. There have been large numbers of recent cases in which peace officers have searched and seized premises on which the presence of narcotics was suspected because of a tip by an informant, or other circumstantial evidence. Because of recent court decisions, much of this evidence so obtained is excluded from the court because it was supposedly obtained by "illegal search and seizure."

Furthermore, all evidence obtained by wiretapping is now excluded in California courts. This has been a serious hindrance to law enforcement officers, as the operations of the big-time traffickers in illicit narcotics are almost wholly limited to the telephone, in attempting to avoid all possible contact with the peddlers and ultimate buyers.

The two key court decisions which are the basis for the exclusion of these types of evidence are People vs. Cahan, 44 Cal. 2d. 434 (1955), and Priestly vs. Superior Court, 50 Cal. 2d. 812 (1958). It is extremely disturbing to notice from Table IV that California courts in 1959 convicted only 26.6% of all narcotics offenders, as compared with 71.7% for New York, 76.2% for Illinois, and 68.5% for Michigan. Notice also that the conviction rates in each of these other states increased in 1959, but decreased in California. Furthermore, the picture for narcotics offenders under the age of 21 was even more startling. Before the Cahan decision, California convicted 51.4% of juvenile narcotics offenders. Between 1957 and 1959, following the Cahan exclusionary rule, California courts were able to convict only 8.8% of juvenile narcotics offenders. Notice that the conviction rates in each of the other states with major narcotics traffic is much higher. It is therefore clear that these court restrictions on evidence have allowed many narcotics offenders to go free in the California courts.

The above cited Joint Report of Los Angeles County officials proposes an amendment to Section 11689 of the Health and Safety Code, which reads as follows:

(OVER)

"In any criminal action or other proceeding commenced to enforce provisions of this division, all relevant and material evidence not otherwise privileged, shall be admissible. No evidence shall be excluded because of the manner in which it was obtained. Nothing in this section shall be construed to limit the right of any person to seek and obtain redress for any injury to his person or property or for the infringement of any of his rights."

This proposed amendment is substantially similar to that proposed by S.B. 728 which was defeated in the 1959 Legislative Session. It would allow the admission of illegally obtained evidence in narcotics cases only, because of the peculiar problems in obtaining evidence which surround narcotics traffic. However, any person who breaks the law in obtaining evidence can still be prosecuted for his act. The proposed amendment will simply allow the admission of evidence so obtained.

MEXICAN BORDER PROBLEM

According to Report #1440, 84th Congress, 2nd Session, (1956), dealing with "Illicit Narcotics Traffic," known American drug addicts are permitted to cross the Mexican border in large numbers each day. States the report:

American drug addicts flock across the Mexican border in substantial numbers each day for injections of heroin at well-known 'shooting galleries' and for smuggling operations. No law prohibits such crossings by addicts, even though they may admit their addiction to customs officers on duty.....Many of these addicts are also big time peddlers, and their smuggling is not limited to a quantity for personal use..... At best, customs officials can submit the known addicts to through searches on their return trips, but many of these addicts hide heroin in their natural body cavities and escape detection.

Yet, Edmund G. Brown, as Attorney-General and Governor, has consistently disfavored any proposal to restrict border traffic.

TABLE I

SOURCE: "Extract from Treasury-Post Office Departments Appropriations for 1961." Hearings before the Subcommittee of the Committee on Appropriations, House of Representatives, 86th Congress, Second Session.

STATISTICAL DATA OF ACTIVE NARCOTIC ADDICTS IN THE UNITED STATES AS OF DECEMBER 31, 1959, REPORTED TO THE FEDERAL BUREAU OF NARCOTICS

Total Addicts.....	45, 391	Sex:	
Age of Addicts:		Male.....	35,873
		Female.....	9,518
Under 21.....	1,743	Race:	
21-30.....	24,343	White.....	11,703
31-40.....	14,058	Negro.....	26,146
Over 40.....	5,247	Mexican.....	2,823
By Drug:		Puerto Rico.....	3,889
Heroin.....	42,329	All others.....	830
Morphine.....	1,211	Number by State:	
Opium.....	142	New York.....	20,732
Dilaudid.....	527	California.....	6,471
Demorol.....	565	Illinois.....	6,191
Dolophine.....	149	Michigan.....	2,366
Paregoric.....	167	Texas.....	1,566
Codeine.....	175	District Columbia.....	1,116

BREAKDOWN FOR CALIFORNIA ALONE:

Age of Addicts:		By Drug:	
Under 21.....	213	Heroin.....	6,168
21-30.....	3,587	Morphine.....	81
31-40.....	1,998	Codeine.....	64
Over 40.....	673	Demerol.....	54
Race:		Opium.....	40
White.....	2,276	All other.....	64
Mexican.....	2,020	Sex:	
Negro.....	1,957	Male.....	5,138
Puerto Rican.....	12	Female.....	1,333
All other.....	206		

TABLE 11

SOURCE: "Extract from Treasury-Post Office Departments Appropriations for 1961". Hearings before the Subcommittee of the Committee on Appropriations, House of Representatives 86th Congress, Second Session.

NEW ADDICTS REPORTED TO THE FEDERAL BUREAU OF NARCOTICS DURING THE CALENDAR YEARS 1955-1959, BY STATE:

	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
California	862	1,562	1,262	1,436	914
New York	4,394	4,014	3,589	3,613	2,875
Illinois	805	1,021	994	774	493
Michigan	553	591	387	281	187
Ohio	322	81	72	41	31
NATIONWIDE	<u>9,113</u>	<u>9,337</u>	<u>7,704</u>	<u>7,626</u>	<u>5,690</u>

FEDERAL NARCOTICS LAW VIOLATIONS REPORTED DURING THE CALENDAR YEARS 1955-1959, BY STATE:

	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
California	189	270	269	249	322
New York	427	313	304	405	554
Illinois	173	151	179	265	227
Michigan	139	97	123	131	71
Ohio	153	48	49	28	3
NATIONWIDE	<u>2,048</u>	<u>1,600</u>	<u>1,516</u>	<u>1,577</u>	<u>1,649</u>

FEDERAL MARIHUANA LAW VIOLATIONS REPORTED DURING THE CALENDAR YEARS 1955-1959, BY STATE:

	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>	<u>1959</u>
California	40	93	52	57	79
New York	23	21	7	1	0
Illinois	27	18	11	2	6
Michigan	49	14	5	5	8
Ohio	14	9	7	0	3
NATIONWIDE	<u>494</u>	<u>403</u>	<u>268</u>	<u>179</u>	<u>177</u>

T A B L E I I I

ARRESTS AND CONVICTIONS IN THE FOUR STATES WITH THE GREATEST NARCOTICS
TRAFFIC OF PERSONS UNDER 21 YEARS OF AGE, AS REPORTED TO THE FEDERAL
BUREAU OF NARCOTICS

<u>CALIFORNIA</u>	<u>Total</u> <u>Arrests</u>	<u>Total</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>	<u>Federal</u> <u>Arrests</u>	<u>Federal</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>	<u>Local</u> <u>Arrests</u>	<u>Local</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>
1952-1956	6,850	3,524	51.4%	30	70	87.5%	6,770	3,444	50.8%
1957-1959	4,155	368	8.8%	34	15	44.1%	4,121	353	8.5%
1959-Only	1,087	179	16.4%	17	9	52.9%	1,070	170	15.8%
<u>NEW YORK</u>									
1952-1956	3,433	2,666	77.6%	108	68	62.9%	3,325	2,598	78.1%
1957-1959	2,788	1,288	46.2%	43	31	72.0%	2,745	1,257	45.7%
1959-Only	1,028	497	48.5%	19	19	100.0%	1,009	478	47.3%
<u>ILLINOIS</u>									
1952-1956	2,198	812	36.9%	52	12	23.0%	2,146	800	37.2%
1957-1959	1,524	607	39.8%	27	11	40.7%	1,497	596	39.9%
1959-Only	139	57	41.0%	10	3	30.0%	129	54	41.8%
<u>MICHIGAN</u>									
1952-1956	1,113	119	10.7%	32	3	9.0%	1,081	116	10.7%
1957-1959	130	91	70.0%	3	3	100.0%	127	88	69.9%
1959-Only	40	22	55.0%	0	0	----	40	22	55.0%

T A B L E I V

ARRESTS AND CONVICTIONS IN THE FOUR STATES WITH THE GREATEST NARCOTICS

TRAFFIC OF ALL NARCOTICS OFFENDERS, AS REPORTED TO THE FEDERAL BUREAU

OF NARCOTICS

	<u>Total</u> <u>Arrests</u>	<u>Total</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>	<u>Federal</u> <u>Arrests</u>	<u>Federal</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>	<u>Local</u> <u>Arrests</u>	<u>Local</u> <u>Convictions</u>	<u>Per-Cent</u> <u>Convicted</u>
<u>CALIFORNIA</u>									
1953-1959	67,564	26,147	38.7%	1,936	1,544	79.7%	65,628	24,603	37.5%
1959-Only	12,371	3,268	26.6%	321	237	73.8%	12,050	3,031	24.9%
<u>NEW YORK</u>									
1953-1959	41,403	28,762	69.9%	2,202	1,884	85.5%	39,201	26,874	68.3%
1959-Only	8,278	3,938	71.7%	487	343	70.4%	7,791	5,595	71.8%
<u>ILLINOIS</u>									
1953-1959	41,609	17,812	42.7%	1,699	1,059	62.3%	39,910	16,647	41.6%
1959-Only	2,051	1,563	76.2%	403	183	45.4%	1,648	1,380	83.7%
<u>MICHIGAN</u>									
1953-1959	10,575	2,462	23.4%	997	456	45.7%	9,578	2,006	20.8%
1959-Only	378	259	68.5%	80	59	74.7%	298	200	67.1%

T A B L E V I

COMPARISON OF THE NARCOTICS LAWS OF VARIOUS STATES IN REGARD TO NARCOTICS OTHER
THAN MARIHUANA-SECOND OFFENSES

<u>Offense and Calif. Code Section</u>	<u>California Penalty</u>	<u>Illinois Penalty</u>	<u>Ohio Penalty</u>	<u>New York Penalty</u>	<u>Los Angeles County Proposed Calif. Penalty</u>
Possession (Health and Safety Code Sec. 11500)	State prison 2 to 20 years. (Eligible for parole in 8 months.)	5 years to life. No suspended sentence or probation.	Not less than 5 nor more than 10 years, and not more than \$10,000. (Suspended sentence, probation and parole available.)	Not less than 5 nor more than 20 years. (Suspended sentence and probation available)	State prison not less than 5 years nor more than 20 years. (Not eligible for parole or release on any basis until minimum term of 5 years served)
Transportation, sale, furnishing etc. (Health and Safety Code Sec. 11501)	State prison 10 years to life. (Eligible for parole after 3 years, 4 months.)	Life. No suspended sentence or probation. No specific provision.	Not less than 20 nor more than 40 years. (Suspended sentence, probation and parole available)	Not less than 7½ nor more than 30 years. (Suspended sentence and probation available)	State prison 10 years to life. (Not eligible for parole or release on any basis until minimum term of 10 years served.)
Furnishing to minors. (Health and Safety Code Sec., 11502)	State prison not less than 10 years (Eligible for parole in 3 years, 4 months.)		Not less than 30 years nor more than life. No suspended sentence, probation or parole.	Not less than 7 nor more than 15 years. (Suspended sentence and probation available)	State prison 10 years to life. (Not eligible for parole or release on any basis until minimum term of 10 years served.)

GOVERNOR'S OFFICE
INTEROFFICE MEMORANDUM
SACRAMENTO

TO Cecil Poole

DATE September 12, 1960

FROM Arthur Alarcon

SUBJECT NARCOTICS COMMISSION
MEETINGS

The Narcotics Commission is meeting in Sacramento on September 14 at 9:30 - 4:30 P.M. Conference Room, No. 102 in Department of Agriculture Building, 1220 N Street. Will meet with Dr. Blain, Walter Dunbar and Heman Stark.

The next meeting of the Commission will be held in Los Angeles on September 21. Present at that meeting will be Messrs. McKesson, Parker and Pitchess.

I want to know whether you feel the Governor would like to attend either one. The one in L. A. will have no publicity from us but these three gentlemen may make statements. If so, the Governor may feel that he would like to be present or at least be apprised that we are having such a meeting.

I will be at MADison 7-9761, ex. 44 all day, if you will telephone me.

9:30 5 5



OFFICE OF
DISTRICT SUPERVISOR
DISTRICT NO. 14
STATES OF CALIFORNIA, NEVADA
AND ARIZONA

TREASURY DEPARTMENT
BUREAU OF NARCOTICS
144 FEDERAL OFFICE BUILDING
SAN FRANCISCO 2, CALIF.

September 22, 1960

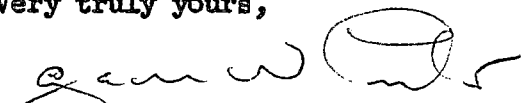
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Honorable Edmund G. Brown
Governor of California
State Capitol
Sacramento, California

Dear Mr. Brown:

I am enclosing herewith a copy of
the remarks of District Supervisor Samuel Levine on
the Federal Program with respect to the narcotic
addiction problem, which it is felt may be of interest
to you.

Very truly yours,


George H. White
District Supervisor

Encl.

RECEIVED
GOVERNOR'S OFFICE
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Gov. Mann

THE FEDERAL PROGRAM

By
Samuel Levine
District Supervisor, Bureau of Narcotics

Remarks at meeting on narcotic problems
Department of Health, New York City,
June 24, 1960

On behalf of Mr. Anslinger I want to thank the New York City Department of Health for extending this invitation. I have been asked to speak on the "Federal Program." This is a pleasant relief. Usually, the topic assigned is "What is the attitude of the Federal Bureau of Narcotics towards drug addiction?" By the very wording, this would seem to indicate that we in the Federal Bureau of Narcotics have an attitude peculiar unto ourselves, or as it is meant to imply, the law enforcement attitude.

Certainly, we in the Federal Bureau of Narcotics have an attitude or philosophy with regard to the addiction problem. But this attitude is not one peculiar to us alone... or limited to the enforcement officer. Our attitude is the sum total knowledge and experience of those persons and agencies actively and sincerely concerned with the narcotic addiction problem. This is an attitude which stems from the realistic appraisal of the many facets of the addiction phenomenon... the medical, the legal, the moral, the ethical and the economic. Our attitude is not the abstract, unrealistic and wishful thinking approach. Thus, the attitude of the Federal Bureau of Narcotics and the "Federal Program" are the same thing. The attitude of this Bureau and our program are the sum total thinking of the community.

In developing my observations, I will refer to a recently published book titled "Dr. Purgatory," by Dr. Jan Marks. Of course Marks is not his true name. This physician, now age 40, was addicted to the use of narcotics over a period of 8 years. During these 8 years, he tells us, "I had spent time in a general hospital, private cure home, prison, Federal hospital, State mental hospital and two private hospitals... I had been forced into contact with police, narcotic agents, criminals and other addicts. I had opened and closed three offices, wasted thousands of dollars, ruined a promising medical career and lost my license to practice medicine."

My reasons for referring to this book will soon be evident. Certainly, I have no intention of maligning the medical profession. Before discussing the book, I will consider some of the arguments of the few vocal advocates of change in the present

attitudes... those persons who favor the ambulatory treatment of the addict and legalization of narcotics. I refer to those persons who insist that the present system of controls constitutes the primary cause of addiction by creating the possibility of making fabulous profits in the illicit market; those persons who say that since the profit motive is the prime factor in the cause of addiction, all we have to do is to take the profits out of the traffic. Treat the addict on an ambulatory basis, in out-patient clinics or physicians' offices, and since the drugs are legally available at cost, the illicit traffic vanishes and with it the profit motive which causes addiction.

Now let us return to Dr. Marks. In 1949, while a resident at the Boston City Hospital, he suffered an attack of gout. Then he tells us, "For the first time in my life I entertained the idea of using a narcotic upon myself." So he filled a syringe with 3cc of demerol and took his shot. The way Dr. Marks tells it, it would appear that this is his first experience with a narcotic drug. But as the book continues, we learn that earlier that year he had had a hemorrhoidectomy and that the attending surgeon had given him several injections of demerol post-operatively and Dr. Marks says, "I could still recall the pleasant transformation of feeling which had followed each injection."

Did Dr. Marks really take this "first" shot for the gout or was he still recalling that pleasant transformation? I say that it was for the latter reason. He took this shot for the same reason which attracts all addicts, once an experience with narcotics has been had. He chose to call it the pleasant transformation. The medical profession usually refers to it as the "euphoria." The addict on the street calls it the bang or kick.

Dr. Marks took this first shot at 1:30 a.m. and he tells us that 2 hours later he was awakened by the telephone ringing. The nurse was calling him about a patient who was coughing blood. It took, he says, an hour to take care of the patient, and immediately upon his return to his room he took another 3cc injection of demerol. Within a few days he was taking three injections daily and a fourth at bedtime - for an average of 15cc of demerol a day. In a few short weeks, his injections were 4cc each shot, four to six times a day. Yes, he admits to distressing side effects.

After hurrying to his room and taking a shot, he would often awaken later to find himself sitting in his chair, slumped over his desk, needle sticking in his arm, and the syringe still containing some narcotics which he had been unable to inject before becoming narcotized. He tells us that he could scarcely believe it, and became alarmed. Someone might enter his room and find him unconscious. Mind you, it was of no concern to

him that he could not function as a physician. It was of no concern to him that the patient who was coughing blood could have been helped by immediate attention. It was of no concern to him that he was harming and possibly killing the patients who had to rely upon him for their needs. No, this did not alarm or concern him. He could be concerned only lest someone enter his room and find him unconscious. Was the profit motive the cause of his addiction? Was he maintaining himself on a minimal dose? Was he a useful, normal and adequately functioning person?

I think that at this point it is proper to do something novel. That is to define addiction. Drug addiction has been defined by the World Health Organization as a state of chronic intoxication, detrimental to the individual and to society. Addiction includes the overpowering desire to continue taking the drug, to obtain it by any means, and a need to increase the dose. It also includes the physical and psychological dependence.

In addiction we have a transmittal characteristic. Generally it is the addict who translates to the neophyte, as a great experience, the abuse of a chemical that would otherwise be as harmless as dust. Addiction is a contagious disease, just as any of the medically accepted communicable diseases. The host, that is the addiction-prone person, and the agent, the available drug, exist in common. For Dr. Marks this was sufficient. However, in the greatest majority of addiction cases a third factor comes into play. This is the very real contagious aspect of the addiction: the addict himself, whom I would call the catalyst, who is the carrier of this contagion.

At this point the dope peddler has not appeared on the scene, nor has the profit motive reared its ugly head. This is true, whether drugs are sold illicitly at \$2.00 per capsule or at 2 cents per tablet.

Remember Dr. Marks. He obtained his supply of narcotics at cost or for nothing. He did not have to go to the black market. Also remember that prior to the Harrison Narcotic Act there was no illicit market and drugs could be purchased over the counter for pennies. The rate of addiction then was eight times the current rate. Besides, why do we talk about profits? We should be concerned instead with the vast group of potential new addicts who would inevitably be the victims of the freely available drugs if the only thing we did was to take the profits out of the traffic. How on God's earth can we relate in dollars and cents the human misery and degradation which inevitably result from addiction?

It is incredibly naive and indicates an ignorance of the many aspects of addiction, to claim that giving the addict a legal minimum dose would destroy the illicit traffic. Did Dr. Marks maintain himself on a minimum dose? Could he? He did not and he could not... After the experience at the Boston Hospital, Dr. Marks got a job as a resident physician at a hospital in Florida. He tells us that the salary paid him gave him economic freedom. He bought a Cadillac and other luxuries. And women were plentiful.

But very soon after his arrival in Florida, the gout shows up again. This time he uses morphine. The hospital stocked demerol, but because morphine was being used on the patients, he decided to conform. So we now read: "I had to order extra doses for patients who were already receiving it: injecting it into my arm on the way to their rooms." Trying to be charitable, we might speculate as to whether these patients even got what their physicians had ordered for them. But we do not have to speculate on what Dr. Marks means when he says that he injected the morphine into his arms on the way to the patient. He did not stop off at the washroom or in his own room. He injected the morphine through his uniform into his body. But the inevitable takes place. He needs more and more of the narcotics. Those patients from whom he was diverting the narcotics did not provide sufficient for his needs. This is easy to understand, when one understands the phenomenon of addiction. His tolerance was building up, just as he had experienced it with demerol. He was seeking to maintain that "pleasant transformation." Being resourceful, he now orders narcotics for patients who have no need for them.

And we now read: "I became so enslaved to a 4-hour day and night schedule of visiting the hospital, using my concern for the patients as a pretext for my frequent visits to administer the narcotics personally." He was trying to get to the hospital in time to prevent these patients, who had no need for the drug, from getting it, and he in turn appropriated it for himself. He tries to leave the impression that he succeeded. Did he? Dr. Marks himself gives us the answer. "The morphine was more powerful than the demerol. I could not shake its effects for 2 or 3 hours, whereas I had been able to function in an hour after using demerol in moderate doses."

What a short and convenient memory. When did he use moderate doses of demerol? Are we expected to forget so soon, as he did, his description of the effects of the demerol? The description of his being unconscious for several hours, slumped over his desk with the syringe still in his arm? If the morphine was more powerful than the demerol, he certainly was in worse shape. He kids no one when he tells us

that he became enslaved to a 4-hour day and night schedule to prevent the patients with no medical need from getting the narcotics.

Is Dr. Marks an example of what the proponents of the narcotics giveaway program tell us when they say that the addict whose drug demands are satisfied, leads a normal, useful, and productive life? To the contrary... The drug addict is lethargic, undependable, devoid of ambition... He loses all desires for socially productive work. He lives mainly in the euphoric flow of his last dose and in anticipation of his next one. The so-called push which he attributes to the influence of the drug only becomes evident when his drug supply runs out or is threatened.

In January 1954, after more treatment, Dr. Marks opens an office in Miami, Fla. He tells us that from the beginning he was assured a busy practice, charging \$25.00 per visit. He was on his way to real success and prosperity. By the end of January 1954, the same month in which this new-found prosperity began, we find him back on drugs. Back on demerol: 4cc each injection every 4 hours. He says, "I became content to remain in a drugged state of insensibility behind the locked doors of my room." Is this a normal, useful or productive life?

He then takes another cure and 2 weeks after his return to his office he is back on demerol. Now he tells us that he would take his shots before coming home, keeping his drugs and syringes in his car... shooting the solution through his trouser leg while driving. He would drive around in a drugged trance, staying away from home and office as much as possible. He tells us that he would fall asleep at the wheel and become involved in minor accidents such as driving onto the sidewalk and crashing into a telephone pole.

I do not want to belabor Dr. Marks. There are many more incidents more horrifying, such as the one where he might have saved the life of his father had he not been dozing in his room and could not rouse from his stupor in time.

What has been my purpose in portraying these incidents? I insist that here we have, in Dr. Marks, every good reason for the control of narcotics. Here we see what happens to an addict on drugs, whether he gets his drugs for nothing, at cost, or at black market prices. Either way, the addict cannot control himself in relation to the drugs. He is a danger to himself and a hazard to the community. He cannot function adequately, he is not normal, nor is he a useful and productive individual.

I say to you that this book, in all its gruesome details, could have been written by an addicted shoemaker, cab driver, or tailor. The book, I am pleased to say, has a happy ending. Under compulsion, and this is when he meets his first narcotic agent, he takes treatment at Lexington, Ky. At the point in his life where he finishes the book, he has been off drugs several years, longer than ever before in his addicted life. As of very recently he was still clean.

Too much time and energy have been expended debating the semantics of the addiction problem - this to the detriment of the addict who needs help and the community which needs protection. Does the solution to the problem arise automatically once we attach a pleasant reading label? Are we trying to merchandise a pretty package?

I would like to tell you very briefly of an experiment undertaken in the city of Detroit recently, a project which lasted several years. As part of the Health Department, a clinic was established. The clinic at no time considered or condoned providing drugs to the addict in the sense of maintaining his habit. All those actively addicted who contacted the clinic were hospitalized for complete withdrawal under medical supervision. Only after the withdrawal were the other rehabilitative facilities provided.

They had learned early that it was not advisable to attempt any sort of rehabilitation while the person was actively involved in the use of drugs. The clinic was established to help the addicted person purely on a voluntary basis: The concept of a voluntary patient being viewed simply to mean a motivation for clinic visits that excluded any sort of external pressure. The clinic adhered strictly to medical ethics of trust and confidence, and the word soon spread that it was safe for the addict to make himself known.

In 3 years the clinic processed 510 patients. With the broadest interpretation of the concept of voluntary motivation only 34 persons of the 510 could be so classified (6.7 percent). And to make a dismal picture even more pathetic, the report noted that 20 of these 34 came to the clinic solely to be withdrawn and had no intention of continuing contact following withdrawal. Thus a true representation of this voluntary group would be 2.7 percent. The remaining 97.3 percent came because of pressures from families and friends.

As I stated earlier, all who were actively addicted at the time of contact were admitted to the Detroit Receiving Hospital for withdrawal. While there, the clinic personnel conferred with them to plan post-discharge programs. Eighty percent did not return following discharge from the hospital. The clinic also helped process addicts for Lexington. This after such hospitalization had been discussed in great detail with the addict and the addict had seriously agreed with the imperativeness for hospital care. Of the 87 who were accepted

for admission, 52 actually reported to the hospital and 30 left against medical advice shortly after admission. These figures do not include the many addicts with whom the program was discussed and who flatly rejected it.

From this brief statistical review - the report is much more detailed - it appears that treatment of the addict on the basis of a purely voluntary contact holds out no promise. One cannot treat the addict in absentia. One cannot conduct research on the addict and his problems in his absence.

In their conclusions the writers of this report - three outstanding physicians - recommend a legal instrumentality whereby the addict could be subjected to commitment procedures for compulsory hospitalization. They further recommend that a program of continuing contact, on a compulsory basis, be maintained following release from the hospital.

I would now like to repeat what I said earlier. Our attitude in the Federal Bureau of Narcotics is the sum total of knowledge and experience, an attitude which stems from the realistic appraisal of the many facets, and not an abstract, unrealistic, wishful-thinking approach. From the experience of Dr. Marks, the Detroit experiment and the many other experiences, ours and others, we feel that the rehabilitation of the addict is a necessary and worthwhile concern. Marginal and doubtful as the addict may be, he is a fellow human being and is entitled to the best we can give him.

But since the best cure for addiction is for it never to occur, our chief and most practical concern must be for the nonaddict contemporary of the addict. To him we owe the greatest responsibility. For him we must have rigorous enforcement of the laws. For his safety we must cure or segregate the addict. We must have a program which includes the compulsory hospitalization and aftercare of the addict. This hospitalization can be effected through recourse to a court of civil jurisdiction, as is done under the mental hygiene laws. I am happy to say that the State of New York has just taken a forward step in this regard.

Effective policing is vital also. We know that between the two World Wars the addict population in this country dropped from a minimum conservative estimate of 200,000 to a total estimate of 60,000 at present. This in spite of the enormous gain in population.

This in brief is the Federal program.

September 26, 1960

Mr. Charles Stillinger
Chairman, Narcotics Committee
Pomona Lions Club (Host)
440 East Holt
Pomona, California

Dear Mr. Stillinger:

Governor Brown has asked me to thank you for your expression of interest in the narcotics program as contained in your letter to him of September 17, 1960.

Because of his concern with this problem Governor Brown appointed a special commission on narcotics composed of distinguished experts in the field. The Executive Director of this Commission is Mr. Arthur Alarcon, on leave from his position as an Assistant District Attorney of Los Angeles County. At the Governor's direction I am sending your letter to Mr. Alarcon with the request that he communicate with you and arrange a speaking engagement for himself or some member of his Commission.

Sincerely

Cecil F. Poole
Secretary

CFP:jm

cc: Arthur Alarcon

Charles Stillinger

interiors
440 EAST HOLT, POMONA, CALIF.

114883

NA 2-2962

DRAPERIES • UPHOLSTERING • CARPETING • SLIP COVERS • WALLPAPER • FABRICS • SHUTTERS

September 17, 1960

Office of the Governor of California
Sacramento,
California

Dear Sir:

The Lions Clubs of the California district are interested in the problems caused by the use of Narcotics. The Pomona Lions Club shares that interest and wishes to gain more information upon these problems and their control. The Narcotics Committee of the club plans to present through various programs as much of this information as possible.

As chairman of that committee, I am writing to ascertain the availability of a person representing the Governor to speak to our club members expressing his view points and suggestions for the control of Narcotics in this state.

We have a club membership of over 140 members and can guarantee a good listening audience. We meet on Thursday's at noon. Sometime during February would be our suggested date.

We shall look forward to your reply.

Sincerely yours,



Chairman Narcotics Committee
Pomona Lions Club (Host)

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GOVERNOR'S OFFICE
1960 SEP 19 PM 3 19

Returns to Cecil F. Poole Narcotics



EDMUND G. BROWN
GOVERNOR

State of California

GOVERNOR'S OFFICE
SACRAMENTO 14

September 26, 1960

Murry Luftig, Esq.
1220 Bank of America Building
San Diego 1, California

Dear Mr. Luftig:

Governor Brown has asked me to thank you for your memorandum on the narcotics problem. We have found it very interesting and with your permission intend to forward it for the consideration of the Governor's Special Commission on Narcotics.

Sincerely

Cecil F. Poole
Secretary

CFP:jm

C
O
P
Y

MURRY LUFTIG

ATTORNEY AT LAW

1220 BANK OF AMERICA BLDG.

SAN DIEGO 1, CALIFORNIA

BELMONT 2-2227

September 20, 1960

115423

RECEIVED
GOVERNOR'S OFFICE
1960 SEP 23 AM 9 31


Hon. Edmund G. Brown
Governor
State Capitol
Sacramento 14, California

Dear Governor Brown:

I have prepared a Memorandum on the narcotics
problem at the suggestion of Senator Hugo
Fisher's office.

This Memorandum might be of some use to
you and therefore I am forwarding to you
two copies of the same.

Very truly yours,


MURRY LUFTIG

ML:ms

Enclosures

1 MEMORANDUM REFERENCE NARCOTICS PROBLEM

2
3 It is recognized that the use of narcotics often tends to
4 cause moral, mental and physical destruction. Both the Federal
5 Government and the states have laws designed to curb the sale and
6 use of narcotics and its importation. The state is interested in
7 preventing the destruction the individual causes to himself by the
8 use of the narcotics, and in preventing the addition of new victims
9 of the narcotics habit. The state is further interested because
10 as a by-product of making the use and importation of narcotics
11 illegal the price of drugs in the illegal market has soared causing
12 the addict to commit crime to pay for his expensive habit.

13 California has a unique problem because it lies along the
14 borders of Mexico. Little or no narcotics are produced in the
15 United States. It is recognized that a large part of the narcotics
16 imported into the United States comes into Mexico and is then
17 further imported into the United States. In addition to the impor-
18 tation of narcotics through Mexico, marihuana, a stimulating weed,
19 is produced in Mexico and is available for importation into
20 California.

21 There are large commercial rings operating to transport
22 narcotics and marihuana from Mexico into the United States. Nar-
23 cotics and marihuana are also available so that individual users
24 can travel to Mexican border towns, for example Tijuana, and make
25 small purchases for themselves and their user acquaintances and
26 friends.

27 The actual introduction of the narcotics and marihuana
28 into the United States is accomplished through the use of both
29 professional and amateur smugglers. Most of the smugglers are
30 themselves users of narcotics or marihuana. They are often either
31 earning sufficient money by their smuggling to satisfy their own
32 habits or desires, or are smuggling directly for themselves or as

1 favors to others.

2 In addition to the smuggling of narcotics and marihuana
3 into the United States from Mexico the problem is further complicated
4 by the illegal use of drugs and pills which are legitimate and
5 ethical drugs for the relief of pain and various physical symptoms
6 and which are normally used under a physician's prescription. These
7 drugs and pills may have been originally legitimately and lawfully
8 prescribed and may be then passed without prescription from hand to
9 hand, among members of the family, friends or acquaintances. People
10 who have legitimately received such drugs or pills under prescription
11 may under some circumstances refill the same without prescription.
12 Considerable amounts of such unlawful refills and purchases are
13 made in Tijuana, Mexico, and other Mexican border towns. If the
14 pills and drugs are derivatives of opium, as are many of the pain
15 killers, they are classified as narcotics. Otherwise they are
16 classified as dangerous drugs.

17 Marihuana itself is not a narcotic. Many believe, however,
18 that its use leads to the use of narcotics. This may be because
19 marihuana and narcotics are often handled by the same illegal
20 sources. The user of marihuana is placed in contact with the hand-
21 lers of narcotics. It may also result from the fact that the same
22 desires or drives which cause persons to experiment with marihuana
23 would cause them to experiment with narcotics. It is true that many
24 users of marihuana become users of narcotics.

25 The penalties established by Federal law and by the laws
26 of California and the other states for the unlawful use of marihuana
27 and narcotics are severe. Possession of marihuana or narcotics in
28 California may result in imprisonment for as long as ten years in
29 the penitentiary for each incident. Sale, transportation, furnish-
30 ing or giving away of marihuana or narcotics contrary to the laws
31 of the State of California may result in imprisonment for life in
32 the State Penitentiary. The laws are drawn in such fashion that

1 any furnishing of marihuana or narcotics, between two users, with
2 or without payment subjects each of them to the full penalties of
3 the law. The law does not distinguish between marihuana, narcotics,
4 or pills derived from opium as far as possible penalties are concer-
5 ned.

6 Despite the severity of these penalties the importation
7 and use of marihuana and narcotics in California is flourishing and
8 increasing. Some of the suggested means of reversing this trend
9 are as follows: Attack upon the wholesale level with an attempt to
10 break up the wholesale smuggling trade itself on a high level;
11 attack within Mexico before the narcotics and marihuana reach the
12 United States; medical treatment of addicts; requiring former addicts
13 to submit to periodic testing to determine if they are still using
14 narcotics; increased investigative and police work in the narcotics
15 field; Federal aid to California because of its position along the
16 international border in dealing with the Federal authorities in
17 Mexico; doing away with the constitutional guarantees; imposition
18 of increased minimum sentences; investigation into the causes of
19 the use of marihuana and narcotics.

20 Federal assistance in our dealings with Mexico seems most
21 promising. The Federal Government in Mexico has shown that it can
22 act swiftly when it has information as to crime and the desire to
23 act. It did so in connection with the open gambling at Rosarita
24 Beach, Baja California, Mexico. The United States Government through
25 its liason in Mexico City could secure the active cooperation of the
26 Mexican Government in cutting off the narcotics trade in Mexico
27 before it reaches the United States. California cannot negotiate
28 with Mexico, as this can only be done by the Federal Government. We
29 have often lent military assistance missions to foreign nations to
30 assist them to build up or modernize their military forces. Similar
31 missions could be established in Mexico by our Federal Government
32 with the cooperation of Mexican Federal Authorities. Our experts in

1 the field of narcotics investigation and apprehension could be
2 furnished to staff these missions and provide Mexico with their valu-
3 able assistance. Our Democratic Governor has requested these moves
4 by our national administration and our California legislators have
5 introduced bills in Congress to secure this cooperation.

6 A most promising avenue of approach seems to have opened
7 up with the news announcements that a reputed top narcotics peddler
8 in Tijuana, Mexico, was arrested upon proof supplied by depositions
9 of American addicts imprisoned in California and elsewhere. Apparent-
10 ly under the laws of Mexico depositions taken in the United States
11 may be considered as proof in the Mexican criminal courts. We
12 have within our jails and prisons inmates who have themselves made
13 their narcotic and marihuana purchases directly within Mexico and
14 know the Mexican suppliers and can offer the proof necessary for
15 arrest and conviction of the Mexican wholesalers and retailers. It
16 may be that we can induce such testimony through offers of probation
17 or parole. New legislation might be required to permit lessening
18 of sentences for such testimony if this is found to be necessary to
19 induce such testimony. On a state and county level we should begin
20 to accumulate such evidence and proffer it to the Baja California
21 authorities. The assistance of the United States Federal government
22 should be sought to tender such proof to the Mexican Federal author-
23 ities.

24 A special task force should be established in the Califor-
25 nia State Department of Justice to apprehend top-level, non-addict
26 heroin operators for the purpose of hitting at the top of the
27 narcotics pyramid. This can be achieved by budget augmentation.

28 A program has been established by the California legis-
29 lature known as the Nalline testing program to prevent re-addiction
30 by the former addict. Under this program, former addicts on parole
31 are subjected without warning to injections of nalline. If the
32 parolee has again begun to use narcotics the test determines this

1 at once and the parolee is brought back to confinement and compelled
2 to abandon his use of narcotics. This program should be strengthened
3 and expanded by adding an additional unit in the northern part of
4 the state and a new unit in the southern part of the state. This
5 also could be accomplished by budget augmentation.

6 The Governor has called for closer coordination of all
7 State activities concerned with the narcotics problem and has
8 recommended the appointment of a special California Commission on
9 Narcotics Control by either appointment of a crime commission under
10 the provisions of the penal code, or appointment of a commission
11 appointed by the Governor composed of representatives of the Califor-
12 nia Bar Association and the California Medical Association.

13 Proposals for removing discretion in narcotics sentences
14 from the courts and the adult authority by raising the mandatory
15 minimum sentences have been considered by the California State
16 Legislature for many years. After the last regular session of the
17 legislature, the Governor was petitioned to call a special session
18 to again consider these proposals for increasing mandatory minimum
19 sentences. This reflects a suspicion that the courts must be too
20 lenient with those involved in narcotics and the California adult
21 authority must be too lenient in fixing minimum sentences as to
22 such offenders, and that an easy panacea exists in simply removing
23 discretion from those two bodies. No such easy solution exists.
24 No one has yet pointed to any high level narcotics pusher who has
25 received easy treatment by the courts or adult authority upon
26 capture and conviction. The laws defining narcotics peddling
27 include within their definition anyone who unlawfully furnishes
28 another person narcotics or marihuana. Those who would advocate a
29 twenty year minimum sentence for so-called narcotics peddling would
30 compel the imprisonment, upon conviction, for the minimum term
31 of twenty years of a wife who gave her husband a headache tablet
32 prescribed for her which contained an opium derivative, or two teen

1 age boys experimenting for the first time with marihuana who during
2 the course of such experimentation handed each other a marihuana
3 cigarette, to cite two examples. It would prevent friends, relatives
4 or acquaintances from causing the arrest of persons experimenting
5 in marihuana for fear that with discretion removed from the courts
6 and the adult authority, long years in prison for such experimenters
7 for a period which would encompass a large part of their useful
8 life might be worse than any such experimenting or even possible
9 addiction. Severe mandatory sentences might cause juries to acquit
10 those whom they would ordinarily convict if they felt that our
11 judges and the California adult authority could not exercise a wise
12 discretion. Mandatory long minimum sentences would prevent any
13 possibility of securing information as to top level narcotics
14 traffickers from small fry who were faced in any event with mandatory
15 long years in prison, without any discretion resting anywhere. With
16 no possibility of granting parole to former addicts who were cured
17 of their addiction in confinement, the promising naline testing
18 program to discourage re-addiction would have to be abandoned. No
19 differentiation could be made between one who is involved in narcotics
20 for the first time, or a long time addict; or one who commits crime
21 because of addiction; between those who receive payment for their
22 activities; or between marihuana or heroin users; or between young
23 people and mature adults; between the addicted and non-addicted.
24 In addition there is no present evidence of leniency on the part of
25 either the courts or the adult authority. One of the difficulties
26 has been that the public has in mind the commercial peddler of
27 heroin soliciting newcomers to try the drug; but the persons who
28 would have the long mandatory sentences applied to them could in
29 many cases be young, salvageable persons, potential useful members
30 of society. In their illicit experimentation they act with other
31 young people and so are technically "furnishing" the contraband to
32 one another and would, in the present state of the law, be deemed to

1 be as guilty of selling as the largest wholesaler of heroin in the
2 State. The proposals for legislation for the requested special
3 session of the legislature solved none of these problems, and had
4 been rejected by the California legislatures for decades. The
5 promising malline program had just been established by a democratic
6 state government and its full effect has not yet been determined.
7 The Governor declined to order a special session of the legislature
8 to consider proposals that did not seem to offer any promise of a
9 real solution to the narcotics problem and had been rejected by the
10 regular sessions of the legislature over the past several decades.

11 Proposals have also been made that constitutional guaran-
12 tees should be eliminated in order to assist the obtaining of
13 narcotics arrests and convictions. History has shown us that
14 restricting the constitutional guarantees just to the nice people
15 does not work. Remove the constitutional guarantees from even the
16 worst of criminals and the constitutional guarantees accorded to
17 the rest of us will soon follow such abolishment. There is no show-
18 ing that our police officials cannot solve crime in a lawful manner
19 using lawful police methods. Better trained law enforcement offic-
20 ials are required not giving our policemen the right to act in an
21 unlawful way for what they deem to be our own good. Thus we oppose
22 police wire-tapping and other invasions of privacy which violate
23 basic constitutional rights.

24 The Federal Government has a hospital at Lexington, Kentu-
25 cky for the treatment of narcotics addicts where they are treated
26 under confinement, either voluntarily or involuntarily. Some success
27 has been achieved there and more such hospitals should be establish-
28 ed on a federal level.

29 Investigation should be made into the cause of marihuana
30 and narcotics experimentation, especially among the young people.
31 Over the long run the best solution may come here if we determine
32 the basic causes of such experimentation.

1 Many promising avenues of approach exist, but there is no
2 easy panacea. The State and Federal Governments should experiment
3 along many of these courses in an attempt to stem the narcotics and
4 marihuana tide and cause its eventual subsidence.

COMMISSION

HARRY M. KIMBALL, *Chairman*
WALTER S. BINNS
A. E. JANSEN
ROBERT A. NEEB, Jr.
JOHN E. STORER

EDMUND G. BROWN
GOVERNOR

909 S. Broadway, Rm. 200
Los Angeles 15



115889

ARTHUR L. ALARCON
Project Director

STATE OF CALIFORNIA

Special Study Commission
on
Narcotics

September 27, 1960

RECEIVED
GOVERNOR'S OFFICE
1960 SEP 28 AM 9 55

Honorable Edmund G. Brown
Governor of the State of California
State Capitol
Sacramento, Calif.

Dear Governor Brown:

On behalf of the Narcotics Commission I wish to thank you for bringing to our attention the name of Dr. Harry Kamp and his interest in the narcotics treatment control program.

The Commission is anxious to hear his observations on this program.

I have asked Dr. Kamp to meet with the Commission at its October 19 meeting in Sacramento. I hope that his schedule will permit him to meet with us.

Sincerely,

A handwritten signature in cursive script that reads "Arthur L. Alarcon".

ARTHUR L. ALARCON, Project Director
Special Study Commission on Narcotics

ALA:CG

September 7, 1960

Arthur Alarcon, Executive Director
Special Crime Commission on Narcotics
c/o Department of Youth Authority
909 South Broadway
Los Angeles, California

Dear Art:

Dr. Harry Kamp, an old personal friend of mine and an appointee of mine to the Board of Trustees, California Institution for Women, is most concerned with the narcotic problem.

He has made an intensive study of the Nalline Treatment Control Program. He has attended sessions from early morning until late in the afternoon, has watched the nalline testing, and has even called upon the parolees at their homes. He has also gone to Chino to interview the violators.

Dr. Kamp is one of the very few people who has seen this program in all its phases: the therapy, the nalline testing, and the parolees at their work and in their homes.

He is anxious to make it go, but would like to talk with the Commission about it. I know the Commission is limited by law, but if you could find a way to make him an adviser or an ex officio member, I think he could do an effective job for the state and for the Commission.

Sincerely

EDMUND G. BROWN, Governor

WLB:KCH

cc: Cecil F. Moore ✓

STANLEY MOSK
ATTORNEY GENERAL

STATE OF CALIFORNIA

CHARLES A. O'BRIEN
CHIEF ASSISTANT ATTORNEY GENERAL



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, SAN FRANCISCO 2

October 3, 1960.

Hon. Richard McGee
Director of Corrections
State Office Building #1
Sacramento, California

Re: Nalline Testing for Narcotic Addicts
in the Los Angeles area

Dear Mr. McGee:

A number of disturbing reports has reached us in the past few weeks regarding the nalline testing program in the Los Angeles area. We are informed that the majority of addicts being tested are on a regular schedule rather than being picked up on short notice and subjected to the test and, further, that addicts who show several "equivocals" are not having their parole lifted but are being held in the County Jail to "dry out" with a simple hold charge on them until such time as they can achieve a better test at the nalline testing center.

These reports have reached us through undercover operators in the Bureau of Narcotic Enforcement as well as other sources. Addicts have been bragging to our men of being able to evade detection with consequent recommitment to penal institutions. An addict met one block away from the nalline testing center, immediately after he had taken the test, remarked to an undercover operator that he was going out for a shot of heroin immediately. When questioned by our operator as to how he escaped detection, he remarked that if one stayed away from drugs for a few days before the test would show him to be "equivocal" and that it was the policy of the Department not to return "equivocals" to Chino. In addition, we are informed that addicts are paying unprincipled doctors from \$50 to \$150 per shot for drugs, including ACTH, before submitting to the nalline test where the results were "equivocal", although the addicts were still addicted. While we have our own doubts about the efficacy of these drugs, it seems clear that some of the addicts certainly have been using them to

achieve "equivocal" and that the Department's policy in not violating the parole immediately and sending the addicts to China results in a serious undermining of the program.

In effect then, regular scheduling of these addicts, and the policy of the Department not to send "equivocals" to China, is resulting in the false and misleading impression that the nalline program is worthless. Those who were strongly opposed to the nalline approach on narcotics initially now have knowledge of these facts, as well as those of us who are most anxious to see the program and a positive approach to narcotics succeed.

Since we share much of the responsibility for getting the program inaugurated and are strongly urging its adoption throughout the State, and are most hopeful of its potential to achieve results in this field, we are dismayed at these reports. It would seem to us that only through a tough policy on "equivocals" and, most importantly, a non-scheduled quick pick up of addicts for testing along the lines of the policy followed in Alameda County, can the program function properly.

During the last few days we have received additional confirmation of these reports in the analysis made by the Bureau of Criminal Statistics on the operation of the program so far. This report is dated September 29, 1960 and I believe a copy was sent to your office. These results are most disappointing. It is our belief that the administration of the program has a great deal to do with them. We need hardly point out that if critics of the program pick up all the facts which have come to our attention, the program is in dire jeopardy and with it all hopes for a positive approach on this most serious problem. I am sure you share our concern and I am most desirous of receiving your reaction to this situation.

Sincerely yours,

STANLEY MOSK
Attorney General

Cecil — This matter is very serious. We have additional info on this. The word is that some unfriendly people are beginning to get the picture too. Looks like trouble
Charlie

10-6-60

I thought you might be interested in
the information contained in the
attached memorandum.

GEORGE H. WHITE

Narcotics

MEMORANDUM REPORT

BUREAU OF NARCOTICS

DISTRICT NO. 14

GEN. FILE TITLE:

Miguel BARRAGAN

CASE FILE NO.

REPORT MADE

AT: Los Angeles, Calif.
DATE: Sept. 27, 1960

RELATED FILES

NY:S 10294

BY: Lawrence Katz
Narcotic Agent

14 Mex-1

OPT: Victor CASTA

OTHER OFFICERS

1960 OCT 7 PM 4 05

RECEIVED
GOVERNOR'S OFFICE

SUBJECT OF THIS MEMORANDUM

Discontinuance of SE John Donatoni's
services on the Miguel BARRAGAN
Investigation.

RECOMMENDATION

PENDING:

CLOSE:

FURTHER INVESTIGATION: XXX

DETAILS (If report is over two pages in length summarize in first paragraph)

1. Reference is made to the reporting agent's memorandum report dated September 15, 1960 in re progress of the Miguel BARRAGAN Investigation.
2. Since the date of the above report, SE Donatoni had attempted, on numerous occasions, to set up a meeting with BARRAGAN in Tijuana, but all attempts met with negative results.
3. It is the feeling of all participating officers on this investigation that BARRAGAN had been somehow made aware of the SE's cooperation with our agency, and any further participation on this investigation by the SE, might possibly jeopardize his life. For this reason, we will no longer utilize SE Donatoni's services on the BARRAGAN investigation.
4. On September 26, 1960, Mexican Federal Judicial Group Chief Luis Aguilar advised us that all joint investigations that are being conducted in Baja California will have to be temporarily discontinued, because of recent newspaper articles that have been appearing in the Tijuana newspapers blasting the presence of American officers who are participating in cases made against narcotic violators in Baja California.
5. It must be pointed out that the Left Wing element in Baja Calif. practically control the local government and press. Salomon SANDER Jr. (Cal-5048, Cal-5657, 14 Mex-5) recently had a three column article published in the Tijuana newspaper, in which he attempted to portray to the newspaper readers how he is being unfairly and unjustly persecuted and branded as a narcotic violator by the American authorities. Salomon SANDER Sr., his father, is one of the top "Commies" in Baja Calif.

COPY OF THIS MEMO FURNISHED TO

SIGNATURES

BUREAU:2cc

DISTRICT NO.

FILES:2cc

APPROVED:

(DISTRICT SUPERVISOR)

George H. White

MEMORANDUM REPORT

BUREAU OF NARCOTICS

DISTRICT NO. 14

CASE FILE NO.

GEN. FILE TITLE: Mexican Cooperation.

REPORT MADE

RELATED FILES

OTHER OFFICERS

AT: Los Angeles, California
DATE: September 26, 1960

Solomon Sander, 14-Mex-5.

Narcotic Agent, Carl F. Jack-
son.BY: Kenneth W. Conant
Narcotic Agent

SUBJECT OF THIS MEMORANDUM

Telephone conversation with Mexican Federal Agent
Luis Aguilar, on September 26, 1960.

RECOMMENDATION

PENDING:

CLOSE:

FURTHER INVESTIGATION:

DETAILS (if report is over two pages in length summarize in first paragraph)

1. On September 26, 1960 at about 10:45 A.M. the undersigned agent placed a long distance telephone call to Mexican Federal Agent Luis Aguilar, at Tijuana, B.C., Mexico.
2. The reporting agent inquired as to the status of the Solomon Sander, 14-Mex-5, case that is still pending. Mr. Aguilar stated that for the last three days, the Tijuana paper was very critical of the cases made by joint investigations involving this Bureau and the Mexican Federal Judicial Police. Mr. Aguilar stated that the articles in the newspaper were particularly bitter about the United States agents participation in these cases. It is reported by Mr. Aguilar that the newspaper stated that a Mexican citizen would be within his legal right to shoot and kill any American agent working on a case against a Mexican in Mexico.
3. Undoubtedly the newspaper's source of information, are those criminals that have been arrested on previous Mexican investigations, involving agents from this Bureau.
4. It is known that on September 25, 1960, an incident took place on the Tijuana border, where officers from the United States (believed to be officers of the San Diego Police Department.) fired shots across the border into Mexico. The officers were reported to be shooting at an escaped convict who fled into Mexico. This incident could not have happened at a worse time. It is believed by the reporting agent that the newspapers will use this situation to undermine relations between the United States and Mexico. It might be noted that this publication is reported reliably to be communistic.
5. Agent Aguilar stated that he is contacting his superiors in Mexico, D.F. and apprising them of the situation. Mr. Aguilar further states that he will not be able to continue any joint investigations, until he obtains the approval of his superiors. Efforts are being made to obtain Tijuana newspapers of the dates mentioned.

COPY OF THIS MEMO FURNISHED TO

SIGNATURES

BUREAU: ~~ORIGINAL~~ 2

DISTRICT NO.

FILES: ~~ORIGINAL~~ 2

APPROVED:

(DISTRICT SUPERVISOR)

George H. White

Richard A. McGee
Director of Corrections

Walter L. Barkdull
Information Officer
Hickory 5-4711, Ext. 2093

(FOR IMMEDIATE RELEASE)

SACRAMENTO, October 14, 1960 -- Correctional officials today ordered a further tightening of controls on former narcotics addicts after a year-end review of the State's experimental narcotics treatment control project.

The announcement was made by Richard A. McGee, Director of Corrections, and Fred Finsley, Chairman of the Adult Authority.

This project was instituted at the request of Governor Edmund G. Brown, October 1, 1959, as a pilot project and was extended during the present year to include additional parolees with a known record of narcotic addiction who were released on parole after serving their prison terms.

"Field agents were given broad latitude during this first shakedown year of the experiment," McGee said. "Now with what we have learned we are able to set firm standards for operation of the project aimed not only at the prevention of readdiction but also at minimizing the temptation to intermittent use."

After learning that some parolees had been using narcotics intermittently without detection, surprise nalorphine testing was stepped up last month. Use of surprise tests instead of scheduled weekly tests will be further greatly increased.

Whenever a parolee's test is inconclusive he will be particularly subject to surprise testing.

Parolees in the experimental project who fail a test will be taken at once to the detention treatment center at the California Institution for Men or the California State Prison at San Quentin, unless there is evidence of other criminal activity. If there is evidence of other criminal activity, they will be jailed for prosecution or parole violation.

"A parolee will be released from the unit to parole status only on the order of the Adult Authority. No one will be returned to the detention unit a second time without the express permission of the Authority. Except under unusual circumstances he will not be returned to the detention unit a second time within a 12-month period," Finsley said.

In an effort to further strengthen the program and to determine its value, McGee announced that Dr. Daniel Blain, Director of Mental Hygiene, had agreed to have his staff report on treatment techniques used at the detention treatment units.

Attorney General Mosk has been asked to assign personnel from the Bureau of Narcotics Enforcement to liaison posts with the project.

Narcotics

October 19, 1960

Mr. Arthur Alarcon
Executive Director
Special Crime Commission on Narcotics
909 South Broadway
Los Angeles, California

Dear Arthur:

I am enclosing a thermofax of a memorandum from the Department of Corrections setting forth various changes in policy and procedure in the nalline program. These decisions were arrived at following an urgent conference held in this office on October 10. Present at that meeting were Director McGee, Chairman Fred Finsley, Walter Dunbar, Charles A. O'Brien, Assistant Attorney General, George Brereton and others concerned with the nalline program. I pass on to you this memo for your information.

I am also enclosing a copy of memorandum received from the office of George White, District Supervisor of the Federal Bureau of Narcotics.

Sincerely

Cecil F. Poole
Secretary

CFP:jm
Enclosures



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, SAN FRANCISCO 2

October 25, 1960.

Honorable Richard A. McGee,
Director of Corrections
State Office Building #1
Sacramento, California

Dear Mr. McGee:

In response to your letter of October 13, 1960, we are designating Agents Burnell H. Blanchard of the Los Angeles office and Vincent Chasten of the San Francisco office to act as liaison in their respective geographic areas between narcotic enforcement officers and your parole staffs specializing in the supervision of former narcotics' addicts.

I should like to underscore your statement about sharing a deep concern over the narcotics' problem in California. We are most perturbed about the administration of the nalline program in Los Angeles and while your report to the Governor on changes in policy and procedure concerning the administration of this program indicates some desirable revisions, we should like to further urge that, as quickly as possible, all testing be on a "surprise" basis. While we are aware that this presents some problems as to availability of doctors, it is our information that this has been worked out successfully in other areas and that the doctors have made their services available in accordance with a non-scheduled, irregular, surprise testing procedure.

To illustrate the difficulties which we face I should like to bring to your attention a report that Federal Agents have within the last two days apprehended a major narcotics' pusher in the Los Angeles area who had a supply of nalline among his possessions. Reasonable conjecture by the Federal officials indicates that this man has been using nalline to combat his scheduled test. Further discussion with Ronald Beattie, Chief of our Bureau of Criminal Statistics, indicates to me that there is need of drastic revision in your non-specialized control program; that is the vast number of parolees who are not undergoing intensive supervision or counseling.

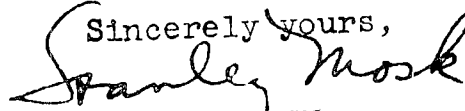
The consequences of the failure of the nalline program might well be severe. To allow this positive approach in narcotics to

Richard A. McGee

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fail because of the lack of proper administration and supervision would be tragic. I might add that we have no intention of standing quietly by and watching this happen. Vigorous reformation of the program and immediate implementation of corrective steps are vital.

Sincerely yours,

A handwritten signature in cursive script that reads "Stanley Mosk". The signature is written in dark ink and is positioned above the typed name.

STANLEY MOSK
Attorney General

GOVERNOR'S OFFICE

INTEROFFICE MEMORANDUM

(CONFIDENTIAL)

SACRAMENTO

TO CECIL POOLE

DATE November 7, 1960

FROM GOVERNOR BROWN

SUBJECT Narcotic Agents

I just talked with George White about the 28 new narcotic agents requested by the Attorney General's Office.

This is a difficult question; I am unable to appraise it and I don't believe they are able to either.

It was suggested by White that a man named Harney from Chicago be retained for sixty days to make a survey of narcotics in the State of California. I think this should be done but only in conjunction with the Narcotics Commission, with Harney's work to be under their supervision. ^{M.L.}

Please see George White, talk this matter over, and if we retain Mr. Harney, let's do it immediately so that before the next session of the Legislature we will have something.

AS:mh

Then Narcotic Comm
AS
Asst to Comm
Dis state / Illinois Bu N.
Ret'd.
Now in N.C.
4325 - Jayhawk Rd NW
W-DC.

nas

November 9, 1960

Mr. Robert A. Neeb, Jr.
Attorney at Law
9460 Wilshire Boulevard
Beverly Hills, California

Dear Bob:

I told the Governor about your letter
and have placed it on his desk.

We are all keeping our hands crossed
and hoping for a real constructive
report from the Commission.

Sincerely

Cecil F. Poole
Secretary

CFP:y

Pool

ROBERT A. NEEB, JR.
ATTORNEY AND COUNSELOR AT LAW
9460 WILSHIRE BOULEVARD
BEVERLY HILLS, CALIFORNIA
BRADSHAW 2-0858
CRESTVIEW 6-7182

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November 2, 1960

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GOVERNOR'S OFFICE
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Honorable Edmund G. Brown
Governor, State of California
State Capitol
Sacramento, California

Dear Pat:

I think you will be interested to know that we are making fine progress in your ^{narcotic} committee and that we had a very excellent meeting with the Sheriffs Association in Palo Alto last Friday.

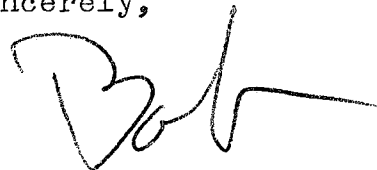
I really think that some good suggestions for legislation will come out of this commission and we are hopeful, as you know, of having something on your desk by the end of the year.

I also want to take this opportunity to thank you for your kind mention of me before the House of Delegates of the State Bar as it was very gracious of you to do so and I appreciate it.

Hoping this finds you in good health, and that you are are not campaigning too hard with Senator Kennedy because I am sure that he is going to win overwhelmingly.

With kindest personal regards, I am

Sincerely,



Robert A. Neeb, Jr.

RAN:s

SACRAMENTO AP - An Assembly committee Wednesday unanimously approved tougher narcotics bills after a federal official said that present weaker laws attract addicts to California.

W. L. Speer, assistant commissioner of the Federal Bureau of Narcotics, also told the Assembly Public Health Committee that relatively little has been done to wipe out narcotics traffic in the state.

Supervisor Kenneth Hahn of Los Angeles strongly urged stiffer narcotics legislation. He said addicts should be segregated from society and confined on islands such as Santa Barbara or Santa Catalina.

Dolores Huerta, representing the Community Services Organization of Los Angeles, urged the bills be defeated.

"Let's not take a giant step backwards by solving social problems with extreme penalties," she said.

The bills before the committee were sponsored by Assemblyman Clayton C. Dills, D-Gardena. They generally remove some discretionary power from judges and the Adult Authority in granting probation and parole.

They also would set minimum 10 year sentences for first offense narcotics sellers and require stiffer sentences for those convicted of furnishing "hard" narcotics such as heroin to minors.

Joseph C. Shell, R-Los Angeles, Assembly minority floor leader, said, "tougher narcotics legislation will be passed this session despite the attempts by the administration leadership to kill any of this legislation."

Earlier, Atty. Gen. Stanley Mosk presented a 10-point narcotics program which included tougher penalties.

SACRAMENTO AP -The Senate Committee on Insurance and Financial Institutions Wednesday approved a bill by Sen. Randolph Collier, D-Yreka, to allow workers displaced by automation to draw unemployment insurance while retraining for a new job.

By BILL BOYARSKY

SACRAMENTO AP - Stiff, mandatory narcotics penalties won the unanimous approval of the Assembly's Public Health Committee Wednesday in the first test of the 1961 legislature.

The action followed a federal official's warning that California's addiction rate is climbing steadily.

But before the bills were approved, they were the subject of a bitter fight on the Assembly floor when an attempt was made to switch them to a committee which had blocked similar legislation in the past.

W. L. Spear, assistant commissioner of the Federal Bureau of Narcotics, made a strong plea for approval of the two bills by Assemblyman Clayton Dills, D-Gardena, before Public Health.

Light penalties in California, he said, have caused narcotics offenders to head toward the state.

"There has been some improvement in California, but relatively little has been done to wipe out narcotics traffic," he said.

Dolores Huerta, legislative chairman for the Community Services Organization, which represents Spanish-speaking people in the Los Angeles area, asked that the committee reject the bill and look for a more "constructive solution to the narcotics problem."

"Let's not take a giant step backwards by solving social problems with extreme penalties," she said.

In general, the bills take some discretionary power away from judges and the Adult Authority in granting probation and parole.

Other provisions include:

1. Minimum 10-year prison term for those convicted of selling narcotics for the first time-with no possibility of probation. Now, convicted peddlers can be sent to county jail or be placed on probation.
2. Stiffer penalties for those convicted of furnishing so called "hard" narcotics such as heroin to minors.
3. A new offense-possession of narcotics for sale. This would carry a minimum five year sentence in state prison.

In addition to Spear, the bill was supported by Hal Kennedy, Los Angeles County Counsel, Sheriff Dan Kelsey of Stanislaus County and Los Angeles Supervisor Kenneth Hahn.

The floor fight earlier came after Assemblyman Bert DeLotto, D-Fresno, asked the legislators to take the bills away from Public Health and give them to the Criminal Procedure Committee.

DeLotto withdrew his request after a lengthy debate in which Assemblyman Bruce Allen, R-Los Gatos, charged "the real purpose of this motion is to defeat the bills and bottle them up in an unfavorable committee."

In 1959, similar measures by Dills were held up in Criminal Procedure before getting Public Health's approval.

C O N F I D E N T I A L

MEMORANDUM TO FRED DUTTON

RE: WHITE HOUSE CONFERENCE ON NARCOTICS

WHY THE CONFERENCE

First, because of absolute political necessity. I will not labor this point with you. The Republican-spawned image of Brown and the administration as "soft" on crime generally is based on the narcotics mess. These attacks are not going to abate. Pat may be castigated for refusal to back down on taxes and for the un-dead Chessman; but this remains the rallying cry for Republicans from dawn to dusk.

Second, because a Democratic administration believing in individual and civil rights is slowly being pressed into a position of having to comply with steps backward in order to keep on top of a worsening situation. The real object is Cahan and wiretapping. The fact is that this is no longer a state-controllable problem. At least, not for a State as big, exposed, active as California. And it is increased in severity because of the racial admixtures, the Mexican, Negro, farm labor, marginal industrial labor forces, and the whole burgeoning, baffling ecology that is California.

All the stuff comes into California from elsewhere. This alone makes it the federal government's responsibility too. We have 700 miles of border, big, bustling seaports, and we have Mexico and the gold-lure of this new state. There is not enough manpower to handle customs, border patrol, or even the in-state traffic. Any real help involves further agreements with latin-American countries, particularly Mexico. This involves the State Department's reluctance to move hard. There is also involved the poor degree of co-operation which now exists with federal narcotic agencies. For a long time Chief Parker and George White hardly spoke. Now they speak--hardly.

COMPOSITION OF CONFERENCE

We do not intend to embarrass the new administration. Nor do we suggest creation of a forum in which to embarrass Commissioner Anslinger. The fact is, however, that practically all the advice which now flows from that source consists of admonitions to increase penalties, to deny parole and probation, and thereby "create a climate" for better enforcement.

Fred Dutton

We suggest that the conference be called as soon as possible after inauguration. Delegates should be limited. The various chiefs of police or their representatives, attorneys general, heads of state narcotics bureaus, some judges, some district attorneys, sheriffs. The numbers of each of these categories would not be too hard to work out. In addition, there must be some representation, carefully selected, of other opinion--social, public, minorities, civil liberties people, professionals. I would add some key legislators, university people, and such federal officials as might be appropriate. California sent 100 to the current conference on Aging. Perhaps one-half that number would be sufficient for the narcotics conference.

WHAT AGENDA

Although I have not purported to exhaust the fertile possibilities, I should think the conference ought to include some setting forth of sectional and state problems, some factual and statistical information sessions, the interchange of information, discussion and evaluation of various approaches now made, the formation of inter-state and state-federal co-operative arrangements, and special emphasis on what the federal government can do to be of assistance. Particularly, the conference would address itself to the larger problems of national and international trafficking which really characterizes narcotics.

We believe that a national "think" session of this sort would help to dry up the poisonous -- and rapidly spreading dogma-- that the narcotics problem will be solved if only the fuzzy thinkers stop concerning themselves with protecting anybody's constitutional rights. It could spotlight the real situations which we face, could further alert the public to effective, unemotional tackling of the physiological, psychological, and human involvements of this business.

WHO IS FOR THE CONFERENCE

You will recall that the entire California congressional delegation is on record in favor of such a conference. This includes both parties. In fact, the demand from California has been so great that last March they resurrected the President's Interdepartmental Committee (which hadn't been out of the attic in six or seven years) and sent it out to Los Angeles

Fred Dutton

and Sacramento. Its evident purpose was to toss the ball right back to the Democratic administration. It met with some success along that line ("Brown should have put narcotics on special call"), but surprisingly enough, everyone demanded a White House Conference. You will recall that Parker, Pitchess, Chief Jansen of San Diego--everyone (except, I believe, Harold Kennedy--who has become the hatchet man) made that plea. I have newspaper clips quoting Pitchess, Mayor Norris Poulsen, Kenny Hahn, Councilman Jas. Gorman, Warren Dorn, Stan Mosk, and many others to that effect.

At the conclusion of the L.A. sessions, Warren Dorn told John P. Weitzel, committee chairman, that he hoped this session was not staged in lieu of such a conference. Weitzel, hedging, assured him that all the views, including the demands for a conference, would be reported to Washington.

There was never any action or response after the committee left.

Governor Brown has pledged himself to urge the calling of a conference. He has not committed the Kennedy administration. He feels such a conference would have great value in addition to its obvious political assets.

I will be glad to supply any additional comments.

Telefax

WESTERN UNION

Telefax



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O WA112 PD-FAX WASHINGTON DC 9 12277 EST

HONORABLE CECIL FOULKE

129270

STATE CAPITOL OFFICE OF THE GOVERNOR
SACRAMENTO CALIF

ARRANGING APPOINTMENT WITH ROBERT KENNEDY AND BRYON

WHITE FOR YOU TO OUTLINE RECENT NARCOTICS REPORT AND

CLOSER RELATIONS WITH JUSTICE DEPT. CIVIL RIGHTS

DEVELOPMENTS FOR WESTERN STATES ALSO ON AGENDA

SUGGEST NO PUBLICITY IN ADVANCE. PLEASE NOTIFY ME WHEN

ARRIVING. APPOINTMENT FOR NEXT WEEK

FRED DUTTON

THIS MESSAGE WILL BE DESTROYED IN 30 DAYS UNLESS IT IS REPRODUCED WITHIN 10 DAYS OF DATE OF RECEIPT